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ABSTRACT

This report summarizes a fact-finding forum (May 6, 1988) on the status of bilingual education in Chicago (Illinois), held to fulfill a court-mandated responsibility to identify and uncover disparities in education. Six invited panelists, representing all areas of bilingual education and seven teachers, school staff, community group representatives, and concerned citizens testified. The following general issues were identified: (1) inadequate funding; (2) the lack of wide support for bilingual education; (3) the need for links with the job market; (4) the importance of a bicultural emphasis; (5) the current unmet need for training programs, teacher recruitment, media campaigns, classroom materials, and research studies; and (6) the barriers to parent participation. The following issues specific to bilingual education programs in Chicago were identified: (1) program evaluation; (2) the bilingual teacher shortage; (3) competencies for bilingual teachers; (4) supplementary teacher training; (5) retention of qualified teachers; (6) the English-as-a-Second-Language (ESL) curriculum; and (7) the need for statistical data to support funding proposals. Statistical data are presented in two tables. The testimony of seven witnesses, the forum agenda and publicity, and Article 14C of the School Code of Illinois are appended. (FMW)

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The Monitoring Commission for Desegregation Implementation

Summary of the

COMMISSION'S BILINGUAL EDUCATION FORUM

Held May 6, 1988
at the
Thaddeus Kosciuszko School
1424 North Cleaver Street
Chicago, Illinois

June 1989

Mary E. Davidson
Principal Investigator

Donn F. Bailey
Commission Chairperson

Manford Byrd, Jr.
General Superintendent of Schools
Chicago Public Schools

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ACKNOWLEDGEMENTS

In an attempt to fulfill its court-mandated responsibility of identifying problems and uncovering disparities in the Chicago Public Schools, the Monitoring Commission for Desegregation Implementation sponsored a fact-finding bilingual education forum May 6, 1988, at the Thaddeus Kosciuszko School.

Originally, the Monitoring Commission only had planned to sponsor one forum. However, commissioners and Monitoring Commission staff were approached to host another forum. The second bilingual education forum entitled, "The Impact and Implications of the Immigration Law and School Reform Proposals," was held June 22, 1988, at Maria Saucedo Magnet School.

This report summarizes only the May 6th forum. A second report recapitulating the issues of the June 22nd forum also is available upon request from the Monitoring Commission.

This report was prepared under the direction of Dr. Mary E. Davidson, principal investigator. Other individuals who participated in the writing, editing, and production were: consultants, Gonzalo A. Escobar, Jorge Hernandez-Fujigaki, Wyatt C. Jones, Ph.D.; and staff, Barb Leebens-Osilaja and Christy Spears.

Special thanks should be given to members of the Commission's Subcommittee on Special Project Initiatives and to the subcommittee's chairperson, Carlos Heredia. Thanks also to all forum participants which included: representatives from the Bilingual Section of the Illinois Board of Education, the Board's Department of Multilingual Education, Por Un Barrio Mejor, the Mexican-American Legal Defense and Educational Fund (MALDEF), Chicago Bilingual Educators, Citywide Multilingual Parent Council, United Parents to Enhance Public Education, Illinois Teachers of English to Speakers of Other Languages/Bilingual Education, the District 5 Educational Council and Illinois Senator Miguel Del Valle.

Thanks too, to James Bailey, principal of Kosciuszko School, and to all the interested parents who participated.

Mary E. Davidson
Principal Investigator
June 1989

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I. MONITORING COMMISSION OVERVIEW

A. Mission

The Monitoring Commission for Desegregation Implementation monitors the implementation of the **Student Desegregation Plan** in the Chicago Schools. Its mission is to identify problems and confirm successes, to uncover disparity and encourage progress in the Chicago Public Schools. In the spirit of the **Consent Decree**, the Commission shares with the Chicago Board of Education the goal of educating all children, serving as an impartial body to support Board efforts in the spirit of constructive criticism and assistance.

B. Commitment to Monitor Bilingual Education Goals

The Monitoring Commission was developed in September 1980 by Part I of the implementation of desegregation policies by the Chicago Public Schools. Under this mandate, the Commission is responsible to monitor all parts and components of the **Student Desegregation Plan**. A major section of this plan addresses bilingual and multilingual education and calls for planning, facilitation, and provision of core and supplementary educational programs that are equitable and appropriate for the variety of national-origin minority students in the Chicago Public Schools.

Thus, while the Commission views the civil and educational rights of all children as priorities, it maintains among its special commitments the monitoring of bilingual programs goals.

II. BILINGUAL FORUM FORMAT AND PARTICIPANTS

A. Format

A fact-finding forum on the status of bilingual education in the Chicago Public Schools was sponsored by the Monitoring Commission from 1:00 P.M. to 5:00 P.M. on May 6, 1988, at the Thaddeus Kosciuszko School, 1424 North Cleaver Street in Chicago. It was organized by the Commission's Ad Hoc Committee for Bilingual Education.

The forum was divided into two parts. First, the six invited panelists, representing all areas of bilingual education, gave testimonies from 1:00 pm to 3:00 pm. This was followed by a two-hour discussion and question-answer session. Testimony was welcomed from parents, teachers, principals, community group representatives and other concerned individuals on a first-come, first-served basis. (See Appendix A.) Some participants gave their testimonies both in English and in Spanish, for others a translator was available.

B. Forum Participants

Commissioner Nancy M. Abbate, executive director of Youth Service Project, Inc., was the forum moderator.

The invited panelists included:

- Marie Seidner, manager
  Bilingual Section
  Illinois Board of Education

- Eduardo Cadavid, assistant superintendent
  Department of Multilingual Education
  Chicago Public Schools

- Carlos Heredia, executive director
  Por Un Barrio Mejor
  (He is also a commissioner.)

- Carlos Rosa, president
  Chicago Bilingual Educators

- Arturo Jauregui, staff attorney
  Mexican-American Legal Defense and
  Educational Fund (MALDEF)

- Jesus Garcia, president
  Citywide Multilingual Parent Council

Additional speakers who made presentations were:

- Roberto Rivera
  Legislative assistant to Illinois State Senator Miguel Del Valle
  (Delivered Senator Del Valle's speech since he
  was unable to attend.)

- Dennis Terdy, first vice president
  Illinois Teachers of English to Speakers of
  Other Languages/Bilingual Education (ILTESOL/BE)

- Diana Ruiz, chairperson
  District 5 Education Council

- Joaquin Villegas, president
  Puerto Rican Educators of Illinois

In addition to Abbate and Heredia, the following members of the Commission's Ad Hoc Committee on Bilingual Education also attended:

- Donn F. Bailey, Commission chairperson
  Executive director,
  Center for Inner City Studies
  Northeastern University

- Mari Fohuman, director of development
  Chicago Office, MALDEF

- Henry Martinez, executive director
  Mexican Community Committee of South Chicago

- Janice Metzger
  Housewife and education advocate

- Uthman Muhammad, executive director
  SAMCOR Development Corporation

- Aida Sanchez, Commission vice chairperson
  Executive director
  ASPIRA, Inc. of Illinois

Also attending were Mary E. Davidson, the Monitoring Commission's principal investigator, and Commission staff: Helen Jackson, Barb Leebens-Osilaja, Christy Spears, and Ana Tapia.

About 85 to 90 concerned participants attended the Monitoring Commission's first bilingual education forum.

C. Forum Publicity

In accord with its mission, the Commission tried to identify for the Forum problems, disparities and successes of bilingual education in the Chicago Public School system.

To create interest in attending, fliers in English and Spanish announcing the Forum were disseminated on three different occasions to the media, community organizations, schools and elected officials, bilingual organizations, and the general public. A Commission newsletter discussing the issues brought out at the May 6th and June 22nd bilingual forums was mailed to the organization's mailing list. (See Appendix B).

A transcript of the Forum's proceedings was taken by a court reporter and is available in the Monitoring Commission office for interested readers. The present report is an attempt to summarize the Forum's presentations and discussions. (Additional copies are available upon request.)

III. BACKGROUND OF BILINGUAL EDUCATION IN CHICAGO PUBLIC SCHOOLS

A. Description of Bilingual Student Population

Currently, about 90,000 Chicago Public School students come from non-English language background (a home where a language other than English is commonly spoken), according to the Board's Department of Multilingual Education figures. About one-third of this population has been identified as having limited-English proficiency (LEP).

In accordance with Article 14C of The School Code of Illinois, the Chicago Public Schools must provide transitional bilingual education programs in schools with 20 or more students of a particular home language background. Transitional programs of instruction are to be implemented in schools with fewer than 20 students of a particular home language background

(See Appendix C). At present, there are approximately 400 bilingual education programs from pre-kindergarten through grade 12 conducted in 210 schools. State-mandated transitional bilingual education programs and transitional programs of instruction together now serve a Chicago student population of just over 35,000.[1]

Students of limited English proficiency (LEP) representing more than 90 language backgrounds receive bilingual or English as a Second Language (ESL) instruction. The transitional bilingual education programs at present provide services to 19 language communities. Within the bilingual education programs, a total of 26,560 high school and elementary students are involved. LEP students who come from Spanish-speaking homes comprise the largest subgroup. The remaining language groupings range from 543 students (Chinese) to 23 students (Russian and Serbo-Croatian). The transitional programs of instruction include training in English as a Second Language (ESL); these programs currently utilize bilingual instructors in 13 languages.[2]

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[1] Bringing People Together. Chicago: Board of Education, City of Chicago, 1985. Statistics for current fiscal year provided in handout prepared by the Board's Department of Multilingual Education entitled, "Bilingual Education Programs, Fiscal, 1988." In addition to these numbers, 20 federally-funded supplemental programs provide additional services related to specific facets of bilingual education.

[2] Bringing People Together: Bilingual Education in the Chicago Public Schools. Chicago: Board of Education of the City of Chicago, 1985.

TABLE 1

Chicago Public School Students in Transitional Bilingual Education Programs by Language - 1988 (Elementary and Secondary)[3]

Language Community	Number of Students
Spanish	26,560
Chinese	543
Arabic, Assyrian Cambodian, Khmer, Korean, Polish, Vietnamese	415-490
Greek, Romanian, Urdu	99-196
Gujarati, Haitian Creole, Hindi, Italian, Laotian, Russian, and Serbo-Croatian	23-7

[3] Bilingual Education Programs, Fiscal 1988. A handout from the Department of Multilingual Education, Chicago Public Schools.

TABLE 2

Number of Bilingual Students By District - 1988[4]	
Number of Students	**District Number**
Over 5,000	2 and 8
4,500 - 5,000	5 and 6
2,500 - 4,500	1 and 10
1,000 - 2,500	3, 4 and 19
500 - 1,000	11, 12, 13 and 15
Under 500	7, 9, 14, 16, 17, 18 and 20

Bilingual education students residentially are skewed across the city with the highest concentrations in districts two and eight.

B. Bilingual Teaching Positions

The latest figures from the Board's Department of Multilingual Education indicate there are 1,276 bilingual teachers positions associated with the transitional bilingual programs, of these, 1,110 are Spanish bilingual teachers. ESL services are a component of the transitional programs of instruction and are provided 77.5 ESL endorsed teachers while five bilingual teachers provide the bilingual aspect of these programs.[5]

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[4] Directions. Chicago Public Schools, Department of Multilingual Education, Chicago: Board of Education, 1988.

[5] This figure is based on a computation of full-time and part-time teachers, which accounts for the fraction.

The State of Illinois and federally-sponsored bilingual early childhood programs account for other bilingual positions.[6]

An additional 74 resource teacher positions and 43 teacher's aide positions are related to federally-funded supplemental education programs targeted at national origin and language minority students.[7]

IV. FORUM THEMES

To present a systematic discussion of topics at the Monitoring Commission's Bilingual Education Forum, the transcripts of the proceedings were thematically analyzed. These testimonies were edited and rearranged for thematic presentation: unifying themes are presented as paragraph headings, themes that received a great deal of emphasis are so noted in the text. The reader should be aware that the comments of the Forum's participants do not appear in the order in which they participated.

This content analysis found that the Forum issues could be grouped into two distinctive patterns: (1) Considerations of the broad impact of bilingual education's general issues; and (2) Specific problems in bilingual programs in the Chicago Public Schools.

A. Focus on Bilingual Education's General Issues

A concern of the broader issues as they are experienced on the national as well as the state and local levels was evident as a major theme of the Forum. This connection between national trends and political support was emphasized in a paper prepared by Illinois State Senator Miguel Del Valle, who was unable to attend and was read in his absence by Roberto Rivera. The prevailing issue seems to be the lack of money, which is experienced at every funding level. Speaker after speaker presented problems directly or indirectly related to lack of money. Inadequate funding became a pervasive issue framed by the broader themes introduced by participants Senator Del Valle and Carlos Heredia, a commissioner and executive director of Por Un Barrio Mejor (For a Better Neighborhood).

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[6] Bilingual Education Programs, Fiscal 1988. A handout provided by the Department of Multilingual Education.

[7] Support: An Overview of Federally-Funded Supplemental Education Programs for National Origin and Language Minority Students in the Chicago Public Schools. Chicago: Board of Education, 1988.

(1) Funding

Senator Del Valle urged attention to changes in school policy on all levels. He warned participants not to "take anything for granted" during this present period of school reform. He emphasized that teachers, students, supervisory staff, parent groups, community agencies as well as the Monitoring Commission have a role to play.

(2) Wider Support Needed

Pointing to some national trends, Senator Del Valle reminded the Forum that "U.S. English" is aiming at a redefinition of the federal government's commitment to bilingual education, leaving funding decisions to local school districts. In this climate, Senator Del Valle urged the audience to "Watch for attempts to control funding...since demandating and defunding (are a) priority of many local and national groups."

In his presentation, Commissioner Heredia acknowledged the same trends, and advocated a strong response from the community, but especially from bilingual teachers and administrators of bilingual education. He spoke of the need for a positive national and local commitment to bilingual programming. He insisted that the time has come to assert that bilingual education is desirable and arguably necessary for all citizens; it is not simply a culturally affirming vehicle that allows speakers of limited English to make cognitive progress while working toward transition to English. He feels that those involved in bilingual education currently are not taking the leadership role this situation requires: the public and especially bilingual parents must understand the value of and necessity for bilingual education. Bilingual administrators should be demanding funds to implement public/parent education on this issue.

(3) Links to Job Market

Acknowledging that past sources of funding are drying up, Commissioner Heredia characterized the new advocacy of bilingual-bicultural education as also a new pathway to relationships that will most certainly include the business community. One important aspect of bilingual education and bilingual vocational education is preparation for the job market, as highlighted by Senator Del Valle. Heredia suggested another side to this relationship: the linkages created will be beneficial to business, which now takes place in global context where multilingual and multicultural interaction is the norm. Locally, Hispanic and other language populations represent an important consumer force.

Another facet of the connection between the workforce and bilingual education was raised by Senator Del Valle: a significant percentage of minority teaching professionals are connected in some way to multilingual education. He cited our local situation, questioning why 80 percent of the Latinos working for Chicago Public Schools entered through the Department of Multilingual Education. He points out that as a "point of access" bilingual education is a "bread and butter" issue for many Hispanic and other language minority educators.

(4) Bicultural Emphasis

Heredia suggested that the bilingual community and its supporters – especially the teachers and administrators – should take the leadership in advocating maintenance (developmental) bilingual-bicultural programming. This position was echoed in many of the Forum speeches. For example, Dr. Donn F. Bailey, chairperson of the Monitoring Commission, upon greeting the assembly, asserted that "All commissioners agree on the legitimacy of a push for bicultural programs." He referred specifically to Hispanic efforts "to maintain and keep an integrity to their cultural heritage." For Heredia, advocacy of bilingual maintenance programs would include explaining to parents and public the culture-conserving goals and cognitive advantages of the maintenance programs versus the goals of transition which currently drive the state-mandated programs.

Other participants made clear the importance of the cultural components of existing programs. Diana Ruiz, the Educational Council Chairperson of District 5, defended bilingual programs from extinction due to defunding. Ruiz called the bilingual program "a lifeline" that "serves to mediate culture shock."

In addressing the cultural aspect of local programs, some speakers commented on a critical lack of cultural reinforcement. Maria Seidner of the Bilingual Section of the Illinois Board of Education noted that the state has seen that counselors, assigned on the basis of language and cultural needs, are lacking in the Chicago programs. The shortage of competent bilingual teachers, mentioned continually throughout the Forum, also was used as an example of this important lack of cultural reinforcement. Carlos Rosa, president of the Chicago Bilingual Educators, explained that bilingual teachers serve as "role models" and "bridges" to "help with culture shock."

(5) Many Unmet Needs

The call for funding accompanied virtually every report presented. In the absence of adequate funds, training programs, teacher recruitment, media campaigns, classroom materials, research projects all represent priority areas that need to be paid for. In his discussion, Dr.

Eduardo Cadavid, assistant superintendent, Department of Multilingual Education, Chicago Public Schools, said that the $13.48 million dollars allocated to the state for 1988 was $500,000 less than funding for the previous year in spite of increases in the diversity and enrollment of the student population. Although we actually have more very specifically-directed, federally-funded projects this year, (we have gone from three to 14 Title VII ESEA projects and soon will receive four more) Cadavid outlined some specific unmet need areas where intervention cannot take place.

These include the need for more teachers and paraprofessionals to assist them. Also, there are no funds for supplementary instructional materials in English or home languages. The network of multilingual resource centers (MERIC) has not been updated in 15 years and will not be updated now. Although it would have been desirable to add materials for entire families and for the use of parents, this remains an unmet need. Research data, needed to effectively evaluate and develop new models of instruction will be difficult to obtain. The expansion of programs so desired by the bilingual community – preschool, gifted, developmentally disabled, vocational offerings – currently are underfunded. In the presence of so many unfinanced needs, the Forum consensus seemed to be that the funding of teacher education programs ought to have top priority.

In response to questions regarding where monies could come from, the issue of the CANAL settlement money was raised. (These are settlement funds that are used solely for supplemental desegregation educational programs in racially identifiable schools in a specific program that has been approved.) While some brief discussion ensued as to the inclusion of bilingual education in the settlement, Forum participants themselves were uncertain as to the destination of all the CANAL money and the possibilities for its application to bilingual education. Dr. Cadavid informed the group that he had been involved in the writing of six or seven components of the CANAL proposal, in which he always referred to the need for more teachers, more aides, and more programs.

(6) Parents and the Bilingual Program

Hearing from parents was one of the explicit goals of the Monitoring Commission Forum. During his time to speak, Jesus Garcia of the Multilingual Parents Council requested a clarification of the Monitoring Commission's "responsibility to monitor bilingual education" and challenged the Commission to provide more accessible hours and locations so that bilingual parents might attend the meetings. Calls for additional translation at the proceedings further emphasized that parents in attendance were interested in participation. In response, Dr. Mary E. Davidson, principal investigator of the Commission, encouraged parents to meet with the Commission,

holding its members accountable. She added, "We want to work with the parents as much as anybody else."

Virtually every Forum speaker indicated that the success of the bilingual program will depend heavily on informed parental involvement. This included Senator Del Valle's call to get involved at the national, state and local levels, and to be concerned about general issues. Indeed, this particular mandate was exercised by Garcia, who made the point that bilingual parents must be included when decisions in all school areas (not just the bilingual) are made.

Dr. Cadavid emphasized the importance of parents coming to understand the workings of the school system. He referred to the plan of upgrading the multilingual resource centers for parents' use. Joaquin Villegas, president, Puerto Rican Educators of Illinois, reminded the Commission that there has indeed been some change for the better in terms of parents' understanding of Bilingual Education. His advice was to keep in mind that "we lack leadership in many, many areas." Villegas called for a decentralization of parent education monies to the school district level; his organization does not feel that the central office had demonstrated the capacity for organizing and monitoring parent education events.

B. Bilingual Education in Chicago Public Schools

In addition to the generalized issues of funding, much of the Forum testimony centered on the special situation of bilingual education in the Chicago Public Schools. Senator Del Valle's discussion serves to place his testimony in the broader context of the Chicago school system generally. He cited poor performance on ACT tests, a dropout rate that includes almost half of the city's high school students, and poor reading performance by two-thirds of those students who remain in school. He emphasized that the problem among those who enter racially isolated high schools is more acute since those who graduate and read above the national average comprise only 8 percent of this group.

Senator Del Valle views the dropout and "push-out" rates in his own district as evidence that Chicago schools fail to educate; he sees the unwillingness of teachers and officials to enroll their children in these same schools as further proof. He allows that many "competent and dedicated educators are often tired and frustrated"; for Senator Del Valle, major problems are "unresponsiveness" and "non-accountability."

(1) Description of Bilingual Education Programs

Cadavid explained that the Chicago Public Schools offer about 400 bilingual education programs to more than 35,000 students from pre-kindergarten to Grade 12 in 210 schools. He referred to Article 14C of the School Code of Illinois which mandates transitional bilingual programs in schools with 20 or more students of a home language and transitional programs of instruction when fewer than 20 such students are present. Nineteen language populations currently are served with instruction in their home language and ESL. Included are: Arabic, Assyrian, Chinese, Greek, Gujarati, Haitian, Creole, Hindi, Italian, Cambodian/Khmer, Korean, Laotian, Polish, Romanian, Russian, Serbo-Croatian, Spanish, Urbu, and Vietnamese languages. Cadavid projected that the schools are likely to increase in diversity as thousands of students of various linguistic and cultural backgrounds enter the schools yearly.

(2) Important Themes

Commissioner Henry Martinez, executive director, Mexican Community Committee of South Chicago, challenged the Forum to acknowledge the problems in Chicago's bilingual education program. He noted that, in the past, there has been a characteristic "refusal to talk and debate about these growing problems that existed." In fact, much of the testimony centered on particular subsets of problems of the bilingual program. Speakers were concerned with assessment of students from program entry to exit and program evaluation more generally.

The discussion related to teaching staff was quite lengthy; it encompassed teacher shortages, teacher certification, teaching quality, teacher retention, and the inservice training of teachers. Other program-related issues also were touched upon; curriculum, research, the role of universities and the role of publicity, as was parental involvement and parent training.

(3) Program Evaluation

Proper initial identification and continual appropriate assessments of limited English proficiency (LEP) students is a great concern to many of the speakers. Villegas recalls the time when bilingual children were called "retarded", and continues to express concern for misclassified and poorly evaluated students. Seidner, of the Bilingual Section of the Illinois State Board of Education, in describing her office's review of Chicago bilingual programs noted that assessment of LEP students is one of its priorities this year.

Apparently areas of identification of LEP students, assessment of progress, and entry/exit criteria currently are being revised in Chicago to comply with new Illinois state rules adopted in March 1988. The home language survey, instruments for measurement of reading and writing efficiency, the use of entry and exit scores based on the average attained by comparable native language speakers are to be employed. All English language skills are to be assessed.

Arturo Jauregui, staff attorney at the Mexican-American Legal Defense and Educational Fund (MALDEF), reported that his organization has "found too many discrepancies...in some procedures to identify English deficient children." Jauregui added that MALDEF planned to go to trial during the summer of 1988 "to see if the Chicago Board of Education can be held more accountable" for meeting the needs of bilingual children in accordance with the **Consent Decree**.

The Puerto Rican educators testify that "there is a lack of monitoring of what is happening in the bilingual classroom." This group describes a lack of proper standardized evaluation tools in general, noting that for two years, a Spanish criterion reference test (in order to measure the reading objectives in Spanish) has been promised to classroom teachers, but never was delivered. According to Dennis Terdy, first vice president, Illinois Teachers of English to Speakers of Other Languages/Bilingual Education, the dismal situation is not limited to assessment of progress in learning in the home language. Terdy charges that "second language instruction is not a Board priority," and that "a disturbing number (of students) transition out without competitive English skills."

(4) Shortage of Bilingual Teachers

That there is a critical shortage of bilingual teaching staff was an issue of great concern to most of the speakers. Without citing figures, Commissioner Martinez affirmed that there has been a shortage of bilingual teachers for years. Seidner reported "a significant shortage of bilingual teachers in most language categories." Cadavid said that an increase in teachers for the transitional bilingual programs and programs of instruction remains an unmet need because of a lack of funding. Discussion of the teacher shortage centered on possible reasons and potential schemes for training or retraining, attracting and retaining teachers in bilingual positions within the system.

Commissioner Heredia pointed out that the national pool of bilingual teachers is limited and predicted Chicago must be more aggressive in recruiting teachers from other states. In the long term, teaching kids to be bilingual educators might be the solution. Seidner also championed "vigorous recruiting through local media, state and regional conferences, teacher training institutes throughout the country." Like Commissioner Heredia, Terdy suggested turning to our kids..."An overlooked field of recruitment is the Chicago Public High School," he said. Furthermore, he suggested working "to promote teacher training as a career."

Villegas related how his group supported the fledgling efforts of bilingual education in the city and collaborated in recruiting teachers from Puerto Rico from 1973 to 1976. Villegas charges that no recruitment movements are being made at this time in spite of "150-180 vacancies" in "Spanish and other languages" he notes in a recent Chicago Teacher's Union newspaper. Cadavid is obtaining a federal grant to train 100 teachers already certified in other countries. He projects that with the federal money and the cooperation of Northern Illinois University, DePaul, National College, and Chicago State University, the retraining could result in 100 additional certificated teachers.

(5) Other Competencies Are Important

For Terdy, representing ESL and bilingual educators, as for some of the other speakers, the issue of locating qualified bilingual teachers is made more complex than simply seeking out any teacher who is competent in a second language. It is critical that these teachers be competent in the methodology of bilingual or second language instruction, in the particular subject matter they are teaching, and in the instruction of the age group for whom they are assigned, he said. Terdy claims emphasizing language speaking ability at the expense of other qualifications has lead to serious abuses. In his examples, typically, first language speakers prepared to teach older

children and/or specialized subjects are arbitrarily assigned to bilingual kindergarten or first grade classes.

Terdy says that these practices have led to "the development of a second class instructional program which places arbitrary employment guidelines and assignment ahead of the academic needs of the LEP students (who) cannot afford to receive anything but the best." Terdy claims that because the teachers often assigned to LEP students have little knowledge of the second language acquisition process they are preparing students who are unable to compete, ultimately, on a par with native English speakers.

(6) Supplementary Training

Terdy supports supplementary training of bilingual teachers to bring them into compliance with certificate requirements by allocating funds to pay their tuition. He promotes cooperation with all the local universities in offering summer courses and special training sessions that might help teachers in this regard. Finally, Terdy charges that faculty desegregation quotas are preventing qualified teachers from working with LEP students.

Ironically, while Terdy called for more stringent adherence to certification requirements, Seidner faulted Chicago's requirements because the Chicago Board of Examiners lacks the flexibility displayed by other systems. This causes potential teachers to go to other school systems within the state. This is especially true for languages such as Khmer and other refugee languages. The stricter requirements required in Chicago were mentioned also by Seidner in the context of staff training in high school. According to Seidner, lack of staff training is compounded in this situation by stringent endorsement requirements, a teacher's union rule that allows no more than three preparations, and Chicago's staffing formula, which is said to be inappropriate.

(7) Retention of Qualified Teachers

According to Forum participants' testimony, retaining bilingual teachers in the system may be as difficult as getting them in the first place. Apparently, bilingual teachers must work much harder to receive the same pay as teachers of monolingual students. Typically, as Carlos Rosa, president of Chicago Bilingual Educators, describes, the bilingual teacher is involved in the translation and/or preparation of much of the instructional materials used. She/he may be pulled out of class to serve as an interpreter. Frequently, the teacher must work under challenging, if not close to "impossible" circumstances, with groups that may have an entire range of language and cognitive abilities. Alternatively, the teacher of a "pull-out" program may have the opportunity

to work with students of a similar level, but in a hallway, auditorium, or other location not conducive to teaching and learning.

Under the circumstances described, Rosa remarks that the bilingual teachers are doing remarkably well. He cites advancement in reading scores over time and transitioning rates as evidence of excellence. Given the situation of the bilingual teacher, according to Forum speakers, it is not surprising that bilingual teachers move to monolingual classrooms when they get the opportunity. Another inducement for these teachers to leave the bilingual program is the issue of tenure. Commissioner Martinez felt the "thing of tenure" (for bilingual teachers) "needs to be legislated." Apparently, cases involving bilingual teachers in other cities have served to protect the tenure rights of bilingual teachers.

(8) Curriculum and Materials

Panelists Terdy and Seidner informed the group that literally there is no ESL curriculum. Related to this, as might be expected, is the lack of materials. It is the recommendation of the ESL teachers that curriculum development funds be allocated to produce, disseminate and implement a curriculum which has oral language skills as its focus. Competitive reading and writing skills also must be developed as well as developing materials to facilitate this process. The need for applied research to test and compare curriculum models and materials as they are utilized in Chicago was mentioned by several of the speakers.

The need for curricula and materials in other areas of bilingual education mainly was expressed as a need for funds to collect and/or develop and disseminate these items. Especially acute is the need to update the resource center network, from which, theoretically, teachers, students and parents obtain information and program enhancements.

One rather specific related curricula question of extending curricula to the high school came up briefly several times in the Forum. The concern was that the ESL program may not adequately prepare students for critical thinking and its verbal expression, mention of the cultural advantages of and tangible effects on attendance and dropout rate. Terdy's remarks on recruitment of future high school-level bilingual educators seemed germane to this discussion as well.

(9) Research

The need for research data was mentioned frequently by Forum speakers and often this was expressed as the need for data to support funding proposals. Senator Del Valle sees the

"need for data" as one of the broader bilingual education issues and notes the "call for proven results" on measurable objectives that previously were defended by supporters of bilingual education as a matter of faith. Research data that provided numerical evidence could be used in court and in the state and federal legislatures. The Senator suggested that the bilingual community, without research, may be missing the opportunity to support the issue in ways not yet attempted, asking new and relevant questions. As an example, Senator Del Valle suggested comparing drop out rates for bilinguals against drop out rates for Latinos in general.

Seidner called for research information of another sort: data that track student progress. These data easily could be collected via a computerized tracking system that apparently is not available now. Cadavid referred to the lack of viable research data, citing in particular the need for longitudinal studies on "the effects of bilingual education and the relative effectiveness of the different organizational and instructional models." It could be used to compare different programs, curricula, or methods as well as for purposes of individual assessment.

APPENDIX A

Forum Testimony

APPENDIX A-1

Testimony by:

Nancy M. Abbate
Convener
Monitoring Commission's
First Bilingual Education Forum
May 6, 1988

Opening Statement

Opening Statement

Nancy M. Abbate

Convener

Monitoring Commission's
Bilingual Education Forum

May 6, 1988

The Monitoring Commission for Desegregation Implementation from its beginning in 1981 has always had a special committee that monitored bilingual education. This is due to the fact that the **Consent Decree**, the actual United States District Court ruling on the desegregation of the Chicago Public Schools, mandated the implementation of Chicago's **Student Desegregation Plan** to have no negative effects on black or Hispanic children.

The **Student Desegregation Plan** had a major section that addressed bilingual and multilingual education. This Commission's monitoring function, not only includes monitoring reports and documents produced by the Chicago Board of Education, but also includes presentation of findings, and brings issues and information before the community.

Therefore, the Monitoring Commission through its bilingual committee saw the growing concerns of educators, parents, and students involved in bilingual education. The Monitoring Commission decided to conduct public hearings to gather information and hear testimony from the community to determine to what extent the multilingual programs are working for the betterment of the students.

The product of this hearing will be a written document summarizing the issues and questions raised today, the testimonies presented, and the general feelings expressed by the community on multilingual programs functioning in the Chicago Public Schools.

The hearing will be conducted in two parts. The first part will consist of formal presentations by panelists selected by the bilingual committee due to their position and expertise in bilingual education. Each panelist will have 10 minutes to present his or her remarks, and then the commissioners will have approximately five minutes for questions and answers after each panelist.

There will be a 10-minute break after all panelists have presented their statements. When we return, the Commission will hear comments and testimony from the community. Each person will be given five minutes to include any responses from the

panelists or commissioners. These proceedings are being recorded. Please speak slowly and clearly for our court reporter and translator.

APPENDIX A-2

Testimony by:

Dr. Eduardo Cadavid
Assistant Superintendent
Department of Multilingual Education
Chicago Public Schools

Dr. Eduardo Cadavid
Presentation for the Bilingual Education Forum
Monitoring Commission for Desegregation
Kosciuszko Elementary School
May 1988

Good afternoon. My thanks to the Commission for this opportunity to review current information describing bilingual education programs in the Chicago Public Schools.

Thousands of students from different linguistic and cultural backgrounds enter the Chicago Public Schools every year, and it is anticipated that these numbers will increase. In addition to a significant increase in the size of this student population, I expect a commensurate increase in the diversity of home languages and cultures represented. In order to provide all locally identified limited-English-proficient and national origin minority students with equal educational opportunities, the Chicago Public Schools offers 294 bilingual education programs to over 34,000 students, prekindergarten through grade 12, in 210 schools.

In accordance with Article 14C from The School Code of Illinois, the Chicago Public Schools provide Transitional Bilingual Education programs (in attendance centers which have 20 or more students of a particular home language background) and Transitional Programs of Instruction (in attendance centers which have fewer than 20 students of a particular home language background). State-mandated programs in the Chicago Public Schools serve 19 different language populations with home

language and English as a Second Language Instruction. These populations include Arabic, Assyrian, Chinese, Croatian, English, Greek, Gujarati, Haitian Creole, Hindi, Italian, Khmer, Korean, Laotian, Polish, Romanian, Russian, Serbian, Spanish, Urdu, and Vietnamese students. I refer you to the table entitled, "BILINGUAL EDUCATION PROGRAM INFORMATION" which delineates the respective numbers of students, teachers, and teacher aides by language category.

This Chicago Public Schools map [MAP] describes the number of limited-English-proficient students served by bilingual education programs in each subdistrict. Those subdistricts highlighted in dark green serve over 5,000 students, those colored light green serve between 4,500 and 5,000 students. Areas described in blue contain student populations of 2,500 to 4,500 students. Those districts colored pink serve between 1,000 and 2,500 students and those in red contain 500 to 1,000 limited-English-proficient students. Districts with fewer than 500 students served are not colored.

The Department of Multilingual Education of the Chicago Public Schools provides administrative leadership to all local bilingual education programs. The department designs and develops new and supplementary educational programs, provides technical assistance for program implementation, and assures that data collection and program evaluations are completed in accordance with established local, state, and federal guidelines.

For Fiscal Year 1988, the Department of Transitional Bilingual Education from the Illinois State Board of Education allocated $13.48 million for state-mandated bilingual education programs in the Chicago Public Schools. This amount was almost $500,000 less than the funding provided for Fiscal Year 1987. Despite increases in local student enrollment and increases in the variety of educational services offered, state and local allocations decrease.

I would now like to focus your attention on some specific needs for bilingual education in the Chicago Public Schools which will be unmet due to reductions in funding. These four unmet needs are:

- First, the need for an increase in the number of teacher and paraprofessional positions for both Transitional Bilingual Education Programs and Transitional Programs of Instruction. Additional teachers citywide would reduce the pupil-teacher ratio and improve student achievement. I am also convinced that hiring more bilingual School and Community Representatives would result in a higher level of parent involvement. An ongoing staff preparation program would stem the current bilingual teacher shortage and provide a pool of teacher personnel for the future.
- The second unmet need is for funds to provide supplementary instructional materials in English and in home languages. The systemwide network of four,

Multilingual Education Resource and Information Centers have provided teachers with materials on-loan for 15 years without a major upgrading and replenishment. Students and teachers are not our exclusive audience for instructional materials, however. Parents need access to materials that can help develop the English language skills of all family members. Currently, there is no resource collection designed to serve the needs of limited-English-proficient students' parents exclusively.

The third unmet need refers to a lack of viable research data. The Chicago Public Schools need to conduct longitudinal studies on effects of bilingual education and the relative effectiveness of different organizational and instructional models. This information would be used to modify and improve instructional components and would answer some of the concerns that receive so much attention in the media regarding the value of bilingual education.

Finally, we need to expand programs which serve limited-English-proficient preschool, developmentally disabled, gifted, vocational, and other special student populations. Some educators and policy makers believe that a limited-English-proficient student's needs are all met by bilingual education programs. Bilingual students can also be gifted students. Bilingual students need to be able to advance in any educational area regardless of their English language ability. This understanding is obvious to some of us but is revolutionary to many

others. This understanding lies at the heart of educational equity for bilingual education students. It also underscores the reality that we are all in this together.

I refer you to the pages in your resource packets labelled "SUMMARY OF UNMET NEEDS..." and the section entitled, Settlement Funds Proposal for specific numbers and projected costs related to these aforementioned unmet needs.

As the size of your prepared packet of information readily testifies, there is also a great deal of good news regarding local bilingual education efforts. ESEA Title VII projects, which are supplemental and often new, innovative programs for limited-English-proficient and national origin minority students have increased from 3 to 14 during the last three years, and I anticipate that an additional 4 new projects will be funded for Fiscal Year 1989. Other federally-funded programs administered by the Department of Multilingual Education to serve special educational needs include the Emergency Immigrant Education Assistance Program, the Indian Education Program, the Special Educational Needs of Migratory Children Program, and the Transitional Program for Refugee Children. Although the federal funding picture looks bright, these monies account for less than 5% of our budget. Over two thirds of our personnel are locally funded with most of the remainder covered by state funds.

I would like to close with a brief mention of one of my pet concerns-- marketing our product. I beleive that more information in more hands serves our cause. The publication and presentation of materials which describe bilingual education programs and services has been and will continue to be a high priority of the Department of Multilingual Education. It is no longer an unmet need. Increased attention to the need for more public information is being met by the following publications and documents:

BRINGING PEOPLE TOGETHER--a 24 page booklet and accompanying video which describes the current scope and design of bilingual education programs in the Chicago Public Schools

MULTILINGUAL NEWS--our quarterly newsletter

PARENTS AS PARTNERS--a Guide to Parent Involvement

DIRECTIONS--a Directory to Programs and Services administered by the Department of Multilingual Education

SUPPORT--An Overview of all Federally-funded bilingual education programs and projects in the Chicago Public Schools

and a new brochure that describes the services and collections of the Multilingual Education Resource and Information Centers.

Please review the information provided in the packets. If you have specific questions regarding the contents, do not hesitate to call me or a member of my staff for clarification.

Again, thank you for the opportunity to share this information regarding our efforts to improve the delivery of educational services to students, parents, and educators in the Chicago Public Schools.

APPENDIX A-3

Testimony by:

State Senator Miguel Del Valle
Representing District 5
in the Illinois State Senate

PRESENTATION TO THE
MONITORING COMMISSION
FOR DESEGREGATION IMPLEMENTATION

BILINGUAL EDUCATION FORUM

ACCOUNTABILITY IN SCHOOL REFORM
DON'T LEAVE BILINGUAL EDUCATION OUT

I. Commitment to Public Education - I want to begin my remarks by stating that as a legislator, public education is my number #1 priority. And within public education, the treatment of limited English proficient student programs and support services by both the State and Chicago Boards of Education is of the utmost importance to me.

I represent a poor, and historically neglected legislative district. Further, given the fact that I am the only Latino State Senator, I am perceived as a representative of the entire Latino community. I am honored by the trust placed in me by both my constituents and the broader community. I know they all share my concern for our children's education, and that they expect me to provide leadership in this arena.

My legislative district, similar to many other poor districts, has suffered from the inability of our schools to adequately educate our youth. This failure is reflected in the number of youth who dropout or are pushed out of our schools.

I have long been an advocate for public school reform in Chicago. I assumed this role when I came to the realization that the overall conditions continue to deteriorate, particularly in racial and language minority communities. As a legislator with a child in a Chicago Public School, I believe that our system suffers from a multitude of problems resulting in a system that is unproductive and unaccountable to its governing bodies, the community, and parents. It is a system that fails to respond to the changing needs of the different sectors of the city.

II. <u>The Status of Chicago Public Schools</u> - It is primarily because of non-accountability and unresponsiveness, I believe, that we have heard the renewed public outcry for public school reform in the City of Chicago and throughout the state. We have, simply stated, had enough. We can no longer tolerate the systems inability to adequately assume its share of the responsibility for

educating our children.

Increasingly, report after report concerning Chicago Public Schools indicate that we have a system that more often than not does not adequately educate the vast majority of the children enrolled in the system. Nothing substantiates the general loss of public confidence in our public schools more than the unwillingness of some public school officials and teachers to enroll their own children in the system. They instead prefer to enroll them in private educational institutions. I suspect that those who are within the system know only too well what is happening in the schools, and therefore, do not want to expose their own children to its deficiencies.

I am concerned that many dedicated and competent educators are often tired, and frustrated, as well as defeated by a bureaucracy whose primary concern seems to be its own self-perpetuation and protection.

According to the Mayor's Educational Summit Parent/Community Council Report on Education Reform, "The Chicago public schools are in terrible state. Half of the high schools rank in the bottom 1 percent in their students' American College Test scores. Almost one half

of the city high school students drop out before graduating. Of those students who stay in school through their senior year, only one third are reading at or above the national average. And only eight percent of students who enter the city's racially isolated high schools as ninth graders both graduate and can read above the national average." According to another study, "the social cost for dropouts for the class of 1984, is $3.75 billion over a forty year period, through higher crime, greater public assistance, and lost tax revenues." Who must accept responsibility for this sad state of affairs within our public education system?

III. Who is Responsible? - I am a former community agency director with a track record of aggressive advocacy on human services and educational issues. Within that experience, I many times witnessed the "passing of the buck" when school officials and other government bodies attempted to explain why our children were not achieving in the public schools. I have heard many times, either directly stated or implied by school professionals, that poor children cannot learn, unless, of course, there is a massive infusion of new dollars into the system. I agree more funding is needed, but will new funds go into the classroom, where the resources belong?

During my first session in the General Assembly, and as the Vice Chair of the Illinois Senate Committee on Higher Education, and the Co-Chair of the Joint Committee on Minority Student Access to Higher Education, I have witnessed Illinois public colleges and universities blame the public high schools for graduating academically underprepared students. And by doing so, attempt to justify why on their campuses minority recruitment and retention numbers are low and continually declining. For example, at the University of Illinois at Chicago, since 1980, there has been a 48% reduction of black student enrollment. This is an institution with an "urban mission.?" And for Latinos, throughout the State of Illinois, the pool of college bound students has decreased by more than 25% since 1980.

These are the same public colleges and universities that have just recently created additional barriers for Latinos and other minorities by implementing new admissions course pattern requirements. These public colleges and universities know only too well that students graduating from the Chicago Public Schools, in many instances, have not had the opportunity to take these additional courses. Simply stated, these additional courses are not offered in some of the public high schools

in the state. And if they are offered, students aren't prepared to enroll. According to a University of Chicago study, as many as one-third of all Chicago Public High Schools lack the necessary science program facilities necessary to offer course work beyond general and earth sciences.

The public high schools, in turn, blame the public elementary schools for the underpreparation of students in the fundamental skills of computation, reading and language. And, of course, everybody blames the parents.

Given the push for education reform, which must come, and will come, where can we say bilingual education stands? Clearly, public schools are in a crisis, but where is bilingual education in this time of crisis? Where will bilingual education be after the second wave of education reform?

IV. Bilingual Education as Part of the Bigger Picture- I have touched on some of the tough issues facing public education. Recognizing, of course, that time does not allow for a comprehensive review, the question before us is what are the specific issues facing the education of the limited English proficient student? Perhaps, some insight can be gained by the following examples:

Example 1: From the 1988 General Assembly approved budget, the Governor cut $360 million. 65% came from the state's elementary and secondary, and higher education budgets. Downstate bilingual programs absorbed a -$163,000 cut or -3.5% cut from their 1987 budget of $4.653 million, and the Chicago bilingual program absorbed a -$489,000 cut or -3.5% from their 1987 budget of $13.969 million. These cuts, were in addition to a FY 87 funding level which was equivalent to FY 86. The FY 89 budget for education is projected to be at the FY 88 funded level.

Example 2: Last year in the Senate, I witnessed a legislative action that I thought was inconceivable, given the growth of the Latino and other language minority communities in Illinois. Republican Senators attempted to eliminate the state's financial commitment to bilingual education as part of a component of the "502 plan." The 502 plan was an attempt to move 502 million dollars away from regularly funded programs in education, public aid, health, day care, and other social programs to other state departments.

Republican Senators attempted to transfer $18.3 million from the State Board of Education for bilingual education as part of the 502 plan. If adopted, the plan would not have de-mandated bilingual education. It would

have totally eliminated the state's financial commitment to the program. It would have, in effect, left the decision to fund bilingual education programs to the local school districts. The attempt to eliminate funding for bilingual education is certainly not isolated to the recently Republican-sponsored 502 plan. I am sure that many participants of this forum can attest that de-mandating or de-funding bilingual education has been a priority of many local and national groups. For example, as you may well know, the "U.S. English" organization is attempting to redefine the federal government commitment to bilingual education. Author Guy Wright indicated in a commentary published by the San Francisco Examiner and Chronicle concerning the establishment of the U.S. English organization that, "at last we have a national organization to combat the mis-named bilingual movement." He also stated that, "as for bilingual education, it has fallen into the hands of people less interested in building a bridge to help immigrant children learn English than in building a bridgehead within the school system for foreign language pressure groups." Further, according to Wright, the U.S. English organization believes that, "this anti-assimilation movement (a more accurate name than bilingualism) comes at a time when the United States is receiving the largest wave of immigration in its history.

This influx strains our facilities for assimilation and provides fertile ground for those who would like to turn language minorities into permanent power blocs." They offer to: (1) Adopt a constitutional amendment to establish English as the official language of the United States; (2) Repeal laws mandating multilingual ballots and voting materials; (3) Restrict government funding for bilingual education to short-term transitional programs only; and (4) Control immigration so that it does not reinforce trends toward language segregation. Former Senator Hayakawa is the honorary chairmen of U.S. English.

The 502 plan was the first time that I was exposed to this discriminatory legislative action. I recall the various statements made during the floor debate on this proposal. I remember Senator Berman, Chair of the Senate Committee on Elementary and Secondary Education saying it was "totally discriminatory." But he also stated that "sometimes they (administrators and educators) had a tendency to build a maintenance program rather a transitional program." I'm sure that you will agree that his is a very important impression. There are mixed feelings in the General Assembly about bilingual education programs.

As a freshman legislator, I decided that I would reserve commenting during floor debates on any bill, other than my own, until a very critical period. To me, any attempt to de-fund bilingual education is critical. So my first participation in a floor debate was on bilingual education and other education program cuts that were part of the Republican 502 plan. I recall saying that I didn't understand how members of the body could say that cutting truancy programs, cutting alternative programs, cutting preschool programs would be "cutting the fat." I remember saying that I didn't understand how members of the Senate could say that eliminating the state's funding for bilingual education would also be cutting out the fat or doing away with program areas that weren't important. I didn't understand because I come from a district that is primarily Hispanic, a district that is in dire need of all these programs, a district that has spoken out time and time again for the need for additional help. I said that we have a need for dropout prevention, truancy alternative programs, and preschool for a population which is the fastest growing population in the State of Illinois. And many of the districts, on the Republican side of the aisle, are starting to experience the same needs. In addition, I said, we must begin talking about the need for bilingual education for those that are participating

in the federal immigration reform program. I asked, what about that population? Are we going to ignore them as well?

The question put before the Senators was, are we going to allow the limited English proficient population to experience the kinds of trauma that I personally experienced as a child in the Chicago School System? I said, envision, if you will, a child who was put in a corner of a room, and to a great extent ignored by his first grade teacher for an entire year, simply because, he was a monolingual Spanish speaker. I said that I can not stand before the Senate today and allow us to ensure that many more Hispanics, Ukrainians, Poles, and Asians, and other ethnic and language minority groups experience the kinds of negative feelings that last a lifetime.

Now, from a legislator's point of view, one who is a friend of bilingual education, here are the broader issues that I see affecting bilingual education:

1. Funding - Bilingual Education as a categorical funded program is considered dispensable. As indicated, efforts to de-fund or de-mandate this program is almost a yearly exercise in the General Assembly and at the federal

level. Therefore, bilingual educators can ill afford to think that they are a major priority within the educational establishment.

2. Main Source of Employment - Bilingual Education continues to be the point of access for Hispanics and other language minority educators. There continues to be an unhealthy reliance (dependence) which sometimes hinders our ability to be objective in the area of school reform, and bilingual program improvement in particicular. I am sensitive to the fact that bilingual education is a bread and butter issue for the few that work in the system. I question the commitment of the Chicago Board of Education to Latinos when better than 80% of all Latinos working for the Chicago Public Schools entered the system through the Department of Multilingual Education?

3. Higher Education Commitment - As federal dollars continue to shift away from education, in general, and bilingual education, specifically, bilingual education training programs offered by Illinois institutions of higher education will also disappear or diminish. A very successful program offered by Northern Illinois University was discontinued, in 1980, simply because the institution chose not to commit a matching share of the programs cost.

The institution refused to pick up the full time salary of the instructional staff after the expiration of a five year grant from the federal government, which included full tuition grants and other financial support. The university could have continued the program but the commitment was not there. There must be a broader commitment on the part of higher education in Illinois to train teachers. Right now that commitment, which is often expressed by university officials, is virtually nonexistent. How will the state's teacher demand be met?

4. Need for Data - In my district, community agencies and religious leaders have fought for the establishment of dropout prevention programs and accuracy in the reporting of dropouts. We passed legislation which established penalties for falsifying official reports on dropouts. It was the Hispanic community that lead the charge for change in this area. But if we were to ask, what is the dropout rate of limited English proficient students, I seriously question whether that data is available. I am concerned with any educational setting that does not accurately document its dropout rate.

5. We Need to Build a Stronger Case - During these days of increased accountability we have an opportunity

to compare the academic results of mainstream public education and limited English proficient programs. This can help build the case for the on going and increased funding for bilingual education throughout the state. However, given that we have, for some very good reasons in the past, treated bilingual education as a "sacred cow," we run the risk of being only partially prepared to protect and advocate on behalf of the limited English proficient student and community. I submit to you that proven results based on student graduation rates, test scores, college or employment access, or a half dozen other measurable objectives would serve to build our case in the General Assembly and in our school districts across the state.

6. <u>We Must Educate the Legislature and the General Public About Transitional Bilingual Education</u> - I say this because the only major argument used in the General Assembly, and for that matter the general public, which defends or promotes bilingual education, tends to be philosophic in nature. You know the concept better than I: <u>Teach kids in their native language while they learn English</u>. This argument is dated, and has not grown since the inception of bilingual education.

Another perception is that all Latinos enrolled in public education are in bilingual education programs. In Chicago, less than a third of our kids are enrolled in the program. If we know that for Latinos enrolled systemwide, the dropout rate is high, then why can't we determine if bilingual education program's dropout rate are lower, as believed by many teachers and administrators?

7. We Need To Look At Other Service Delivery Gaps Within Bilingual Education - Specifically, the needs of the bilingual special education student is a concern that has been documented, e.g., the Designs for Change report on the inappropriate assessment and placement of youth in Chicago Public Schools special education programs. Yet, what has been done to correct the deficiencies in assessment and placement? And what efforts are being made to train and hire bilingual special education staff? Further, developing a linkage between the job market and bilingual education through bilingual vocational education programs remains a low priority.

8. Lobbying - The limited English proficient students stand to benefit by an aggressive lobbying effort in

Springfield. I have found that the general perception of my colleagues concerning bilingual education leaves much to be desired. For example:

A. Prominent legislators believe that programs and funding are poorly administered;

B. That students are retained in bilingual education indefinitely. Some believe that students are deliberately retained to save jobs and funding;

C. That in the case of Chicago, the administrative overhead and staffing is excessive to the point of limiting direct student services. This is a criticism of the entire Board of Education bureaucracy.

9. Political Empowerment and the Call for Action from the Front Line - Not long ago, the Hispanic community made significant progress in its political development at both the city and state levels. As a community, we decided that independent political representation and leadership was needed. Some attending this forum played an important role in this development.

I consider myself to be the strongest proponent for bilingual education you have in the Illinois General Assembly. I am also a strong proponent for effective instruction in the classroom, and accountability from the school system as a whole. I want and need you to continue your efforts and commitment to the education of the limited English proficient student and community.

We must reform public education and in that process ensure that programs for the limited English proficient students are strengthened. You must also do your part, align yourself with the parents and community, and work with the General Assembly. Don't take anything for granted in the present wave of school reform. Frankly, everyone is looking for a plan that helps us meet the goal of having a school system that works well for all its students. You must play a role in restructuring public education in the city and state. And those that must be heard the loudest must be the front line teaching, student support staff and supervisory staff, parent groups and community agencies, as well as the organizations and groups like the Monitoring Commission for Desegregation Implementation.

Thank you for the opportunity to appear before you. You can rely on my support.

APPENDIX A-4

Testimony by:

Marie Seidner
Manager
Bilingual Section
Illinois Board of Education

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6/1/88

Current Status of Bilingual Programs in Chicago

Statement Prepared for the Monitoring Commission for Desegregation Implementation

Bilingual Education Forum
May 6, 1988

As part of its duties to implement the provisions of Article 14C of the School Code and the Rules for Transitional Bilingual Education, the Illinois State Board of Education reviews bilingual programs in Chicago #299 on a regular basis.

This review consists of:

1. Application Review (annually)
2. On-site compliance reviews (rotating)

In addition, as part of the state bilingual program evaluation, the Chicago Public Schools annually provide the Illinois State Board of Education with specific demographic information on students in the bilingual program and participates in testing conducted to determine the progress of limited English proficient (LEP) students in Illinois.

This report on the current status of bilingual programs in the Chicago Public Schools is derived from these reviews. The following areas have been identified as priorities:

Assessment of LEP Students
Curriculum
Staffing
Staff Development
General Concerns

I. Assessment of LEP Student

A. Chicago is in the process of revising its identification and assessment procedures of limited English proficient (LEP) students as well as its bilingual program entry/exit criteria in order to comply with the new state bilingual rules.

Specifically, the following procedures will be incorporated:

1. Home language survey upon registration of all students to identify students from homes where a language other than English is spoken.
2. Instruments to measure reading and writing proficiency for students above grade 1.
3. Cut off scores for entry/exit will be based on the average achievement of native English speakers of comparable grade level in the district, and will rely less on subjective teacher judgments.

B. Chicago is also changing its procedure for conducting the annual examination required of students in bilingual programs to include (a) the assessment of all English language skills, inclusive of reading and writing; and (b) all program participants, including Categories A and B, which are not presently assessed.

II. Curriculum

A. Due to the change in the state rules, it has been found that Chicago's differentiated curriculum, which continues to be implemented in many schools, no longer complies with current minimum standards that require instruction in specific core subject areas via the native language of the LEP students.

B. Instruction in English as a Second Language (ESL) needs to be strengthened. There are several problems in its implementation:

1. Lack of clearly defined ESL curriculum;
2. Lack of materials appropriate for ESL instruction;
3. Lack of staff training in this area (the teaching of English reading using a basal reader and methodology is often confused with and commonly replaces ESL instruction);
4. The absence of qualified, ESL trained staff at the high schools, where commonly the responsibility for ESL rests with the English department.

C. Required subjects are not being taught through the native language to a significant number of LEP high school students for the following reasons:

1. Insufficient staff in many high schools;
2. Chicago's stringent requirements which prevent bilingual teachers from teaching specific subjects unless they are endorsed in those specific areas;
3. Provisions of the Chicago Teachers Union preventing high school teachers from having more than 3 preparations;
4. Chicago's present staffing formula for high schools is inappropriate to meet the needs at this level.

D. There continues to be a serious shortage of instructional materials in the native language for required subjects (math, science, social studies, language arts) and in ESL in the majority of the schools monitored by ISBE in 1987-88.

E. There need to be clearly defined curriculum outcomes for all subjects taught in the bilingual program that parallel the general curriculum to ensure that transitioning students can continue their cognitive academic development without serious gaps in their educational foundation.

III. Staffing

A. Significant shortages of bilingual teachers have been identified in most language categories during visits to Districts 2, 5, 8, 31 and 32 in 1987-88.

B. Recruitment efforts should be vigorously implemented. For example, advertise in state and county vacancy lists; local media (including ethnic); state and national conferences on bilingual education; and teacher training institutions throughout the country.

C. Deployment - Chicago's bilingual teacher staffing formula was not systematically applied to all schools this year, resulting in understaffed programs and thus reduced services in a number of schools. Additionally, schools requiring full time transitional bilingual education (TBE) programs only received part time services while a number of bilingual teachers were deployed in transitional programs of instruction (TPI).

Board commitment teachers are not always deployed to teach in the bilingual program on a full time basis. There is no official allocation in the formula for ESL teachers.

D. Certification - The current Chicago Board of Examiners requirements do not have the flexibility needed to secure staff in critical language areas such as Khmer and other refugee languages. Since Chicago's certification/endorsement requirements exceed those of the state, the end result is that available bilingual teachers are hired by other districts.

E. Board Commitment - There needs to be a greater commitment to filling present board positions with bilingual teachers as well as to increasing the number of board positions allocated to the program. In this manner, if state funded supplemental positions are reduced, the program will not be jeopardized.

IV. Staff Development

Only a small percentage of bilingual program staff has had the opportunity to receive the necessary training in bilingual education, either through local inservice training, conference attendance or through college courses.

Chicago needs to develop a comprehensive staff development plan that will encompass all bilingual teachers throughout the system and school building administrative and counseling staff.

V. Other General Concerns

A. Articulation between high school and feeder schools needs to be improved.

B. There is a need to develop a computerized student tracking system to insure that all students receive needed services.

C. Bilingual counselors should be assigned students based on language/cultural needs and not on the same basis as monolingual counselors.

D. High school programmers must take into account the particular needs of LEP students and bilingual program requirements.

E. There needs to be more attention given to students' assessed educational needs in the implementation of programs. For example, not all Category C students receive the specific assistance they require, but rather may be placed in or out of program components based on available resources staff, etc.

Conclusions

Significant steps are being taken to address these observations and concerns. However, given the complexity of some of these issues and the involvement of multiple departments, we are aware that changing these procedures and policies will take a long time. It is unfortunate that, as a result, a number of students will not benefit from these improvements.

Respectfully Submitted,

Maria Medina Seidner
Manager
Bilingual Education Section
Illinois State Board of Education

MES/nw:1940b

APPENDIX A-5

Testimony by:

Dennis Terdy
First Vice-President
Illinois Teachers of English to
Speakers of Other Languages/Bilingual Education
(Illinois TESOL/BE)

RECEIVED
5/18/88

ILLINOIS TEACHERS OF ENGLISH TO SPEAKERS OF OTHER LANGUAGES / BILINGUAL EDUCATION

My name is Dennis Terdy, and I am the First Vice-President of Illinois Teachers of English to Speakers of Other Languages/Bilingual Education (IL TESOL/BE). This organization is comprised of over 500 members statewide involved in English as a second language (ESL) and bilingual instructional programs. Many of these members are employed by the Chicago Board of Education. In fact, my comments this afternoon represent input from several Illinois TESOL/BE members presently working for the Board.

With the following comments, Illinois TESOL/BE recognizes the complexity of funding sources and the variety of guidelines and rules and regulations which affect the implementation of ESL and Bilingual Education programs in Chicago.

The following represent two major goals Illinois TESOL/BE would like to recommend to improve services to Limited English proficient students.

Keith Pharis, Executive Secretary
Center for English as a Second Language
Department of Linguistics
Southern Illinois University
Carbondale, IL 62901
Phone: 618/453-2265

May 6, 1988

GOAL ONE

TO PROVIDE LIMITED ENGLISH PROFICIENT STUDENTS WITH AN ESL INSTRUCTIONAL PROGRAM THAT RECOGNIZES THE SECOND LANGUAGE (L2) ACQUISITION PROCESS AND THE NEED FOR SPECIALIZED INSTRUCTIONAL APPROACHES. TO PROVIDE AN INSTRUCTIONAL PROGRAM THAT PREPARES LIMITED ENGLISH PROFICIENT STUDENTS TO COMPETE IN ENGLISH, ON EQUAL TERMS WITH THEIR ENGLISH DOMINANT PEERS.

EXISTING PROBLEM

Although no specific data is available, it is widely known that a disturbing number of limited English proficient students transition out of Bilingual and other special programs intended to meet their educational needs. However, upon this transition, they frequently have not acquired the mastery of English necessary to compete with their English speaking peers.

One reason for this lack of success is second language instruction does not appear to be a priority for the Chicago Board of Education for its limited English proficient students.

The present ESL curriculum has not been updated to incorporate current knowledge about how limited English proficient students best acquire English, unlike other curricular areas of mathematics and reading which have updated curricula. Furthermore, only English reading is used to assess the transition of limited English proficient students. This promoted a most inappropriate instructional focus on the development of decoding (reading) skills at the expense of oral language skill development. Extensive research with second language reading skills development shows that students who are most verbal will have the most success in reading. One becomes verbal in English by engaging in oral language development activities. Attention, therefore, needs to focus on the teaching of English as a second language properly emphasizing oral language development and its pre-requisite role for reading and writing skills development.

There has been a continual lack of understanding about what ESL is and who is qualified to teach it. It is important therefore, that individuals with experience and training in teaching ESL provide curriculum and staff development leadership and be employed to update and develop ESL curriculum and also to design and implement staff development programs for curriculum implementation.

RECOMMENDATION

Limited English proficient students in the Chicago public schools have a right to acquire English skills to compete successfully with their English dominant peers.

In light of the previously identified areas, Illinois TESOL/BE recommends that the Chicago Board of Education address the following:

1. Allocate funds to specifically develop, disseminate and implement an ESL curriculum which not only focuses on and fosters oral language skills development but also provides competitive reading and writing skills instruction appropriately designed for second language learners.

2. Identify and employ individuals for this ESL curriculum task with the essential second language (L2) and ESL instructional credentials.

3. Implement a training plan for ALL teachers who work with limited English proficient students. This plan would be directed toward:

    - Classroom teachers whose students are pulled out by a bilingual teacher
    - Bilingual self-contained teachers
    - Librarians
    - Reading resource teachers
    - Mathematics resource teachers

    This training design would provide a minimum of 30 hours of staff development in ESL methodology. (This could be done much the same way the Chicago Public Schools presently provides new teachers with 30 hours of staff development.) With this training, teachers can learn methods which foster general classroom communication with limited English proficient children as well as acquire techniques to enhance overall classroom instruction.

GOAL TWO

TO PROVIDE LIMITED ENGLISH PROFICIENT STUDENTS, TO THE EXTENT POSSIBLE, WITH QUALIFIED AND APPROPRIATELY CERTIFIED BILINGUAL TEACHERS WHO CAN EFFECTIVELY ADDRESS STUDENTS' INSTRUCTIONAL NEEDS.

EXISTING PROBLEM

There is a critical and chronic shortage of certified, bilingual-endorsed teachers. As a result of this shortage, less than adequately prepared and trained personnel are all too often assigned to teach those students who are most in need of highly qualified and trained teachers.

Illinois TESOL/BE recognizes the essential need of specific First Language (L1) support for limited English proficient students. However, disregarding level specific teaching credentials (e.g. elementary, secondary) over a teacher's first language abilities is clearly not in the best interest of the student.

Examples of abuses of this policy include:

1. Certified, intermediate upper grade teacher given pre-school assignment based on first language knowledge solely.

2. A certified, intermediate upper grade math teacher assigned to second grade self-contained bilingual class again based on first language knowledge.

3. An FTB 7-12 Spanish certificated teacher assigned to a self-contained bilingual first grade.

RECOMMENDATIONS

With the frequent, inappropriate teacher assignments made for teachers of limited English proficient students in the Chicago Public Schools, Illinois TESOL/BE recommends:

1. Review existing personnel policies that allow bilingual teachers to be assigned "off" certificate and make every effort to match the instructional needs of the students with the training and expertise of the teacher.

2. Allocate funds to assist in paying the tuition for Chicago Public Schools' teachers to take the coursework necessary to acquire the appropriate certificate for the level of instruction being provided.

3. Work with local teacher training institutions (e.g., Loyola, DePaul, Chicago State, Northeastern, University of Illinois at Chicago, National College of Education) to set up special summer and/or evening programs which offer the coursework necessary for certificate updating.

4. Require that bilingual teachers assigned "off" certificate take 30 clock hours of training in the level (e.g., elementary, secondary) to which they have been assigned in order to maintain their assignment beyond the first year. (This training could be provided by the Department of Training and Development.)

5. Make a concerted effort to work with local teacher training institutions and Chicago Public High Schools to promote teaching as a career. The student population is a valuable, often overlooked resource most appropriate for future teaching careers.

In conclusion, Illinois TESOL/BE strongly recommends that the Chicago Board of Education seriously reconsiders the restrictions of the desegregation agreement which prevents schools from being staffed with teachers most qualified to work with limited English proficient students. The Chicago Board of Education is presently faced with the need to first meet faculty desegregation quotas before it can address the instructional needs of the students. The result is that many positions remain vacant because the teacher most qualified for the position does not meet specified desegregation hiring guidelines. The desegregation plan was supposed to provide equal educational opportunities for all students. Unfortunately, what has occured is the development of a SECOND CLASS INSTRUCTIONAL PROGRAM which places arbitrary employment guidelines and assignments ahead of the academic needs of limited English proficient students.

Illinois TESOL/BE's goals are aimed at helping the limited English proficient students in Illinois. These students, most in need of excellent, instructional programs, cannot afford anything but the best ESL and bilingual instruction we can provide.

Thank you.

APPENDIX A-6

Testimony by:

Joaquin Villegas
President
Organization of Puerto Rican
Educators of Illinois

GOOD AFTERNOON MEMBERS OF THE MONITORING COMMISSION FOR DESEGREGATION IMPLEMENTATION AND PUBLIC IN GENERAL. MY NAME IS JOAQUIN VILLEGAS, PRESIDENT OF THE ORGANIZATION OF PUERTO RICAN EDUCATORS OF ILLINOIS. ON BEHALF OF ALL THE MEMBERS OF THE ORGANIZATION, I WOULD LIKE TO EXPRESS MY SINCERE THANKS TO ALL OF YOU FOR BEING PART OF THIS COMMISSION AND IN TAKING THE RESPONSIBILITY OF LISTENING TO ISSUES REGARDING THE EDUCATIONAL SYSTEM OF THE CHICAGO PUBLIC SCHOOLS AND HOW ITS MANAGEMENT HAS HAD, AND WILL, HAVE AN IMPACT ON THE EDUCATION OF OUR CHILDREN.

BEFORE YOU I HAVE ISSUES THAT THE ORGANIZATION OF PUERTO RICAN EDUCATORS OF ILLINOIS WISH YOU TO SERIOUSLY CONSIDER AS PART OF YOUR FINAL FINDINGS. I WILL BRIEFLY DESCRIBE HOW THE ORGANIZATION HAS PLAYED AN ADVOCAT AND RESPONSIBLE ROLE IN ADDRESSING SOME OF THESE ISSUES.

THE ORGANIZATION OF PUERTO RICAN EDUCATORS WAS FOUNDED IN 1972 AND ITS FIRST ROLE WAS TO STRONGLY SUPPORT THE IMPLEMENTATION OF THE ACT FOR BILINGUAL EDUCATION IN THE STATE OF ILLINOIS BY TESTIFYING IN THE STRONG NEED FOR BILINGUAL EDUCATION AND AGAINST THE CHICAGO BOARD OF EDUCATION POLICY OF LABELING OUR NON-ENGLISH SPEAKING CHILDREN AS MENTALLY RETARDED BASED ON ONE SINGLE FACT: THEY DO NOT SPEAK ENGLISH. THE ORGANIZATION RESPONDED TO HELP THE CHICAGO BOARD OF EDUCATION IN SECURING QUALIFIED TEACHERS FOR THE IMPLEMENTATION OF THE BILINGUAL PROGRAMS BY BECOMING CO-PARTNERS IN THE RECRUITMENT OF TEACHERS FROM PUERTO RICO IN 1973, 74, 75, and 76. THESE RECRUITMENT INITIATIVES WERE SUCCESSFULLY ACCOMPLISHED THANKS TO THE CLOSE LINKS THAT OUR ORGANIZATION HAS MAINTAINED WITH THE ASSOCIATION OF PUERTO RICAN TEACHERS IN PUERTO RICO. AND IMPORTANTLY THE ORGANIZATION OF PUERTO RICAN EDUCATORS WHICH WAS PART OF THE TEACHERS' ADVISORY COMMITTEE UNDER DR. JOSEPH HANNON'S ADMINISTRATION.

AS STATED PREVIOUSLY, THE ORGANIZATION OF PUERTO RICAN EDUCATORS WANTS TO RELATE TO YOU SOME ISSUES THAT NEED SERIOUS

CONSIDERATIONS IN ORDER TO SERVE THE EDUCATIONAL NEEDS OF OUR CHILDREN IN GENERAL AND IN PARTICULAR, THE SPANISH SPEAKING CHILDREN OF OUR PUBLIC SCHOOLS SYSTEM.

1. THE TEACHER'S UNION NEWSPAPER SHOWS APPROXIMATELY 150-180 TEACHER VACANCIES IN SPANISH IN OUR PUBLIC SCHOOLS, ALONG WITH THE MANY OTHERS IN OTHER LANGUAGES. FOR THE PAST TWO AND A HALF YEARS, NO RECRUITMENT EFFORTS HAVE BEEN MADE. TRADITIONALLY, THERE WAS A JOINT EFFORT BETWEEN THE DEPARTMENT OF PERSONNEL AND THE DEPARTMENT OF MULTI-LINGUAL EDUCATION TO DEVELOP A PLAN FOR THE RECRUITMENT OF BILINGUAL TEACHERS IN ORDER TO SERVE THOSE CHILDREN THAT NEED THE SERVICES. WHERE DO THE DEPARTMENT OF PERSONNEL AND THE DEPARTMENT OF MULTI-BILINGUAL EDUCATION STAND TODAY IN FILLING THESE HUNDREDS OF VACANCIES.

2. AS PRESIDENT OF THE ORGANIZATION OF PUERTO RICAN EDUCATORS, I CONVEY TO YOU THE SHOCKING REALITY THAT OUR CHILDREN, PRIMARILY AT THE ELEMENTARY LEVEL, HAVE-ON HAND TEACHING EXPERIENCE WITH CRAYONS, CONSTRUCTION PAPER AND OTHER TEACHING TOOLS, BECAUSE THEIR OWN TEACHERS BUY THEM. MEMBERS OF OUR ORGANIZATION TELL THEIR EXPERIENCES IN HOW THEIR PRINCIPALS EMPHATICALLY WARN THEM THAT THERE IS NO BUDGET FOR TEACHING MATERIALS. MY QUESTION TO YOU IS HOW CAN A KEY INGREDIENT IN THE EDUCATIONAL PROCESS OF OUR CHILDREN BE OVERLOOKED IN THE PREPARATION OF A BUDGET?

3. FOR THE PAST TWO AND A HALF YEARS, OUR CLASSROOM TEACHERS IN THE SPANISH COMPONENT HAVE BEEN PROMISED THE "SPANISH CRITERION REFERENCE TEST" IN ORDER TO MEASURE THE READING OBJECTIVES IN SPANISH. IF THIS IS THE CASE, THEN HOW CAN TEACHING BE EFFECTIVELY MEASURED WITHOUT THE PROPER STANDARDIZED TOOLS?

4. POINT NUMBER 4 IS DIRECTLY RELATED TO THE ABOVE DEFICIENCIES IN THE DEPARTMENT OF MULTI-LINGUAL EDUCATION. AT THE

PRESENT THERE IS A LACK OF MONITORING OF WHAT IS HAPPENING IN A BILINGUAL CLASSROOM. THE DEPARTMENT HAS BETWEEN 12 AND 14 TEACHERS AT THE CENTRAL OFFICE [redacted] WHEN THERE IS A LACK OF SERVICES IN THE FIELD. THE DEPARTMENT LACKS THE MECHANISM IN DISSEMINATING INFORMATION AS TO WHO IS RESPONSIBLE FOR DELIVERY OF SERVICES.

MEMBERS OF THE COMMISSION, THE ABOVE ISSUES ARE SERIOUSLY HINDERING THE EDUCATIONAL PROCESS OF OUR CHILDREN AND OUR CONCERNS SHOULD BECOME YOUR CONCERNS.

LAST BUT NOT LEAST, IF TRAINING UNDER THE DESEGREGATION PLAN IS BEING COMPLETED, ESPECIALLY FOR THE PARENTS, ALL OF YOU HAVE BEEN MORE THAN INFORMED THAT THE CENTRAL OFFICE IS NOT CAPABLE TO ORGANIZE AND MONITOR SUCH TRAINING SESSIONS. THE ORGANIZATION OF PUERTO RICAN EDUCATORS STRONGLY PROPOSES TO YOU THAT RECOMMENDATIONS BE MADE THAT MONIES ALLOCATED FOR DESEGREGATION TRAINING SESSIONS BE CHANNELED THROUGH THE SCHOOL DISTRICT, PARICULARLY THOSE WITH HIGH CONCENTRATION OF LEP STUDENTS, IN ORDER TO SECURE EFFECTIVENESS OF TRAINING.

ON BEHALF OF THE MEMBERS OF THE ORGANIZATION OF PUERTO RICAN EDUCATORS, I WANT TO EXPRESS ONCE AGAIN OUR SINCERE THANKS FOR ALLOWING ME TO SHARE WITH YOU OUR THOUGHTS.

THANK YOU AND GOOD AFTERNOON.

APPENDIX A-7

Testimony by:

Carlos M.Rosa
President
Chicago Bilingual Educators

BILINGUAL EDUCATION FORUM

Role and Responsibilities of Bilingual Teachers

Carlos M. Rosa

Paper presented at the Bilingual Education Forum of the Monitoring Commission for Desegregation Implementation, Chicago, Illinois, May 6, 1988.

BILINGUAL EDUCATION FORUM

May 6, 1988

Role and Responsibilities of Bilingual Teachers

My presentation will focus on the commitment and dedication of bilingual teachers. There are approximately 1,200 bilingual teachers in the Chicago Public School system serving 35,000 limited-English-proficient students (LEP). To be a bilingual teacher is one of the most demanding and difficult jobs in the field of education. Bilingual teachers have an extremely important job. They are role models for LEP students and serve as a bridge to help newcomer LEP students adjust to their new school environment by teaching them in a language that they understand, while assisting in their learning a second language. Bilingual teachers help students not to experience a culture shock in their new school environment.

Bilingual teachers have a double load of responsibilities, which include:

--Teaching students in a heterogeneous grouping. Teachers in self-contained classrooms have to prepare themselves to teach students in different English language proficiency levels, this is compounded with students' various ability levels in reading and mathematics and other academic skills.

--Pullout teachers have to teach students in different grade levels and from various language backgrounds many times under inappropriate conditions like corridors, hallways, and auditoriums.

--Bilingual teachers spend a great amount of time after working hours translating, preparing instructional materials, and searching for proper materials that are appropriate to their students' needs.

--There are cases where bilingual teachers are pulled out from their classrooms to help[the local school administration to serve as interpreters for students and parents who do not speak English.

--Many bilingual teachers with pullout programs report being used as substitute teachers when teachers are absent at a higher rate then the non-bilingual program teachers.

Despite all these strenuous conditions and demanding responsibilities, bilingual teachers are performing an excellent job. Their performance is reflected in their students' high attendance rate. English-language-proficiency, and transitioning rate, which includes moving from one English proficiency level to a higher level and also the exit rate from the bilingual program.

Throughout the existence of the bilingual education program the overall attendance rate of program participants had bee higher than that of the general citywide student population. For example, in fiscal 1986, bilingual elementary students had a 93.7 percent attendance rate compared with 92.8 percent for the citywide elementary school students. Bilingual high school students had a 94.2 percent attendance rate compared with a citywide rate of 85.7.

The overall transitioning rate into a different bilingual instructional category or out of the program was a 50 percent for elementary bilingual program participants and was a 60 percent for students in the high school bilingual program. The combined

transitioning rate of elementary and high school bilingual program participants was 51 percent.

The academic progress of former bilingual program participants was continuous and maintained throughout the succeeding years. Students who exited from the bilingual program in 1981 into an all-English program of instruction gained two NCEs in Reading and six NCEs in Mathematics by fiscal 1985. Students who exited from the program in 1982 gained two NCEs in reading and three NCEs in mathematics by fiscal 1985. During fiscal 1986, bilingual program students made gains ranging from six months to 1.2 years in reading comprehension and in mathematics, the mean gains ranged from seven months to 1.2 years.

As you can see, bilingual teachers play an important role in the education of Chicago's LEP students and they are making a positive impact on the academic success of their students.

APPENDIX B

Forum Agenda and Publicity

CHICAGO PUBLIC SCHOOLS • 1819 WEST PERSHING ROAD • CHICAGO, ILLINOIS 60609

Monitoring Commission for Desegregation Implementation
Telephone 1-312/890-8220

Monitoring Commission for Desegregation Implementation

BILINGUAL EDUCATION FORUM

May 6, 1988

Kosciuszko School
1424 North Cleaver Street
1 p.m. - 5 p.m.

AGENDA

I. Opening Remarks . . . . . Dr. Donn F. Bailey
Chairperson
Monitoring Commission

Welcome . . . . . Mr. James Bailey
Principal
Kosciuszko School

II. Panel Presentation
Moderator/Convener . . . . . Ms. Nancy M. Abbate
Commissioner
Monitoring Commission

Panelists

Mrs. Maria Seidner
Manager of Bilingual Section
Illinois Board of Education

Dr. Eduardo Cadavid
Asst. Superintendent of the
Dept. of Multilingual Education
Chicago Public Schools

Mr. Carlos Heredia
Executive Director
Por Un Barrio Mejor

Mr. Carlos Rosa
President
Chicago Bilingual Educators

Panelists (continued)

Mr. Arturo Jauregui
Staff Attorney
Mexican American Legal Defense
and Educational Fund (MALDEF)

Mr. Jesus Garcia
President
Citywide Multilingual Parent Council

III. Question and Answer Session of Panelists by Commissioners

IV. Break

V. Public Discussion/Question and Answer Session

Testimony from the audience is welcomed and will be delivered on a first-come, first-served basis.

CHICAGO PUBLIC SCHOOLS • 1819 WEST PERSHING ROAD • CHICAGO, ILLINOIS 60609

Monitoring Commission for Desegregation Implementation
Telephone 1-312/890-8220

La Comisión Observadora para Implementar la Desegregación

EL FORO DE EDUCACION BILINGUE

6 de Mayo de 1988

Escuela Kosciuszko
1424 Norte Cleaver St.
1 p.m. - 5 p.m.

AGENDA

I.	Introducción del Foro	Dr. Donn F. Bailey Presidente La Comisión Observadora
	Bienvenida	Sr. James Bailey Director Escuela Kosciuszko
II.	Presentación del Panel Moderador	Srita. Nancy M. Abbate Comisionada La Comisión Observadora

Panelistas:

Sra. Maria Seidner
La Sección Bilingüe de
la Junta de Educacion de Illinois

Dr. Eduardo Cadavid
Asst. de el Superintendente
Dept. de las Escuelas Públicas
de Chicago

Sr. Carlos Heredia
Director Ejecutivo
Por Un Barrio Mejor

Sr. Carlos Rosa
Presidente
Los Educadores Bilingües de Chicago

Panelistas (continuación)

Sr. Arturo Jauregui
Abogado
El Fondo de Defensa Legal y
Educacional México Americana (MALDEF)

Sr. Jesus Garcia
Presidente
Los Padres del Concilio
Multilingüe de la ciudad

III. Sesión de Preguntas y Respuestas a los Panelistas por los Comisionados

IV. Descanso

V. Participación del Público Sección de Preguntas y Respuestas

Se invita al público a participar con opiniones y preguntas. Estás se darán conforme al orden en que se registren.

Monitoring Commission For Desegregation Implementation

invites

parents, teachers, principals and concerned citizens

to a

BILINGUAL EDUCATION FORUM

Friday, May 6, 1988
1:00 to 5:00 P.M.
Kosciuszko School
1424 North Cleaver Street
Chicago

Panelists include:

- **EDUARDO CADAVID**
  Asst. Superintendent
  Dept. of Multilingual Education,
  Chicago Public Schools
- **CARLOS HEREDIA**
  Executive Director
  Por Un Barrio Mejor
- **CARLOS ROSA**
  President
  Chicago Bilingual Educators
- **JESUS GARCIA**
  President
  Citywide Multilingual
  Parent Council
- **ARTURO JAUREGUI**
  Attorney
  Mexican American Legal
  and Educational Fund
  (MALDEF)
- **MARIA SEIDNER**
  Manager
  Bilingual section
  Illinois Board
  of Education

Discussion and a question-answer session will follow the panel presentations. Testimony from the audience is welcomed and will be delivered on a first-come, first-served basis.

The public is invited to attend this event, free of charge.

FOR FURTHER INFORMATION, CONTACT HELEN JACKSON, 890-8220

La Comisión Observadora para Implementar la Desegregación

invita a los

padres, maestros, directores y ciudadanos interesados

al

FORO DE EDUCACION BILINGUE

Viernes, Mayo 6, de 1988
de 1:00 a 5:00 P.M.
Escuela Kosciuszko
1424 Norte Cleaver St.
Chicago

Panelistas incluidos:

- **EDUARDO CADAVID**
  Asst. de el Superintendente
  Dept. de La Educación
  Multilingüe de las Escuelas
  Públicas de Chicago

- **CARLOS HEREDIA**
  Director Ejecutivo
  Por Un Barrio Mejor

- **CARLOS ROSA**
  Presidente
  Los Educadores Bilingües
  de Chicago

- **JESUS GARCIA**
  Presidente
  Los Padres del Concilio
  Multilingüe de la
  ciudad

- **ARTURO JAUREGUI**
  Abogado
  El Fondo de Defensa
  Legal y Educacional
  México Americana (MALDEF)

- **MARIA SEIDNER**
  Gerente
  La Sección Bilingue
  de La Junta de Educación
  de Illinois

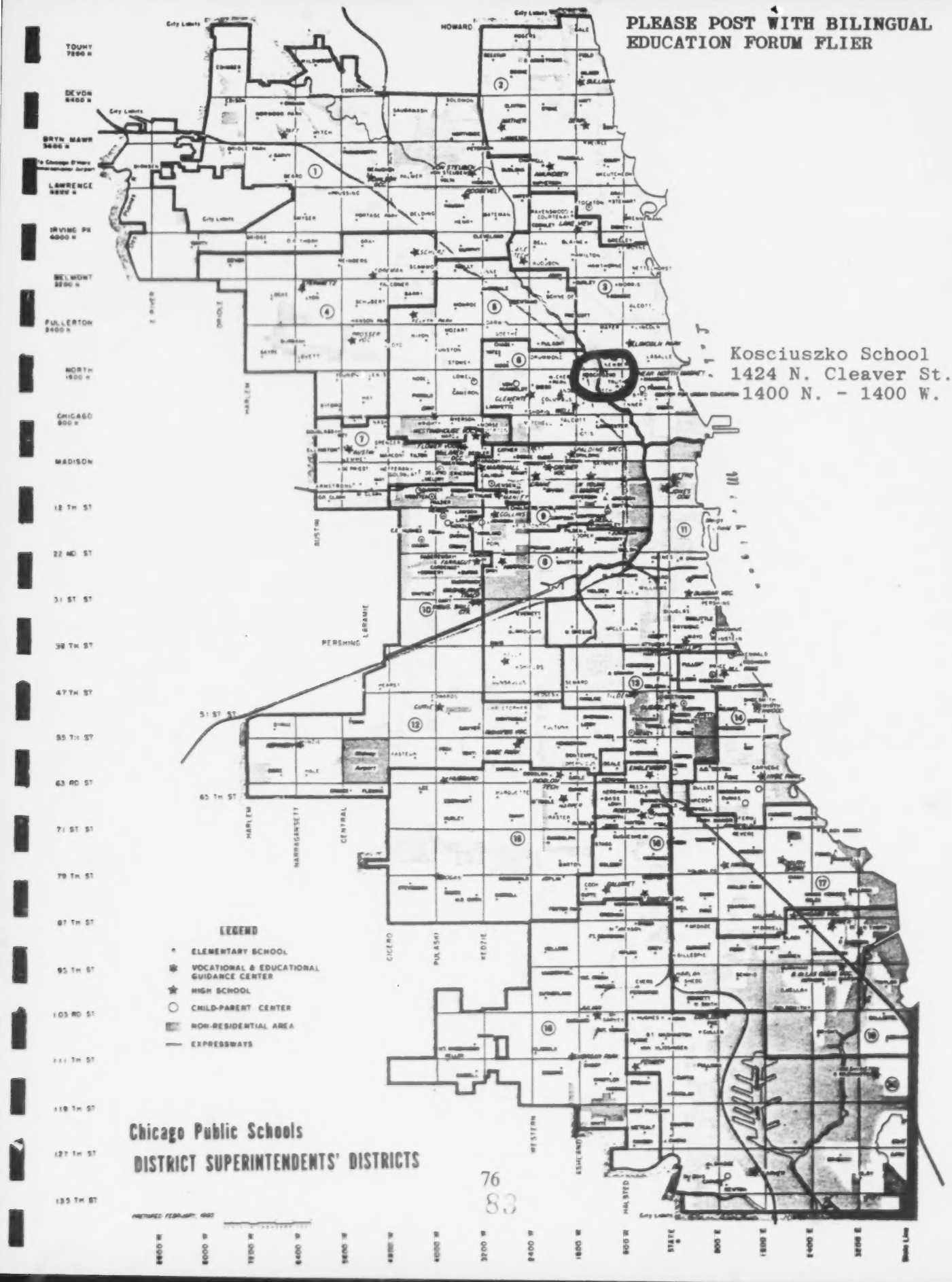
Habrá discusión y sesion de preguntas y respuestas (después) de las presentaciones del panel. Se invita al público a participar con opiniones y preguntas. Estás se darán conforme al orden en que se registren.

El público esta invitado a asistir a este evento, gratuito.

75

PARA MAS INFORMACION, LLAMAR A ANA TAPIA, 890-8220

PLEASE POST WITH BILINGUAL
EDUCATION FORUM FLIER



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APPENDIX C

Article 14C of the School Code of Illinois

The School Code of Illinois

CHAPTER 122 — SCHOOLS

ARTICLE 14C. TRANSITIONAL BILINGUAL EDUCATION

Par.
14C-1. Legislative finding and declaration.
14C-2. Definitions.
14C-2.1. Establishment of programs until July 1, 1976.
14C-3. Language classification of children—Establishment of program—Period of participation—Examination.
14C-4. Notice of enrollment—Content—Rights of parents.
14C-5. Nonresident children—Enrollment and tuition—Joint programs.
14C-6. Placement of children.
14C-7. Participation in extracurricular activities of public schools.
14C-8. Teacher certification—Qualification—Issuance of certificates.
14C-9. Tenure—Minimum salaries.
14C-10. Parent and community participation.
14C-11. Preschool or summer school programs.
14C-12. Account of expenditures—Cost report—Reimbursement.
14C-13. Advisory Council.

Article 14C was added by P.A. 78-727, § 1, eff. October 1, 1973.

14C-1. Legislative finding and declaration

§ 14C-1. Legislative finding and declaration. The General Assembly finds that there are large numbers of children in this State who come from environments where the primary language is other than English. Experience has shown that public school classes in which instruction is given only in English are often inadequate for the education of children whose native tongue is another language. The General Assembly believes that a program of transitional bilingual education can meet the needs of these children and facilitate their integration into the regular public school curriculum. Therefore, pursuant to the policy of this State to insure equal educational opportunity to every child, and in recognition of the educational needs of children of limited English-speaking ability, and in recognition of the success of the limited existing bilingual programs conducted pursuant to Sections 10-22.38a and 34-18.2 of The School Code, it is the purpose of this Act to provide for the establishment of transitional bilingual education programs in the public schools, and to provide supplemental financial assistance to help local school districts meet the extra costs of such programs.

Added by P.A. 78-727, § 1, eff. Oct. 1, 1973.

14C-2. Definitions

§ 14C-2. Definitions. Unless the context indicates otherwise, the terms used in this Article have the following meanings:

(a) "State Board" means the State Board of Education;

(b) "Certification Board" means the State Teacher Certification Board;

(c) "School District" means any school district established under this Code;

(d) "Children of limited English-speaking ability" means (1) children who were not born in the United States whose native tongue is a language other than English and who are incapable of performing ordinary classwork in English; and (2) children who were born in the United States of parents possessing no or limited English-speaking ability and who are incapable of performing ordinary classwork in English;

(e) "Teacher of transitional bilingual education" means a teacher with a speaking and reading ability in a language other than English in which transitional bilingual education is offered and with communicative skills in English;

(f) "Program in transitional bilingual education" means a full-time program of instruction (1) in all those courses or subjects which a child is required by law to receive and which are required by the child's school district which shall be given in the native language of the children of limited English-speaking ability who are enrolled in the program and also in English, (2) in the reading and writing of the native language of the children of limited English-speaking ability who are enrolled in the program and in the oral comprehension, speaking, reading and writing of English, and (3) in the history and culture of the country, territory or geographic area which is the native land of the parents of children of limited English-speaking ability who are enrolled in the program and in the history and culture of the United States; or a part-time program of instruction based on the educational needs of those children of limited English-speaking ability who do not need a full-time program of instruction.

Amended by P.A. 81-1508, § 13, eff. Sept. 25, 1980.

14C-2.1. Establishment of programs until July 1, 1976

§ 14C-2.1. Establishment of programs until July 1, 1976. School boards of any school districts that maintain a recognized school, whether operating under the general law or under a special charter, may until July 1, 1976, depending on available state aid, and shall thereafter, subject to any limitations hereinafter specified, establish and maintain such transitional bilingual programs as may be needed for children of limited English-speaking ability as authorized by this Article.

Added by P.A. 78-727, § 1, eff. Oct. 1, 1973.

14C-3. Language classification of children—Establishment of program—Period of participation—Examination

§ 14C-3. Language classification of children; establishment of program; period of participation; examination. Each school district shall ascertain, not later than the first day of March, under regulations prescribed by the State Board, the number of children of limited English-speaking ability within the school district, and shall classify them according to the language of which they possess a primary speaking ability, and their grade level, age or achievement level.

When, at the beginning of any school year, there is within an attendance center of a school district not including children who are enrolled in existing private school systems, 20 or more children of limited English-speaking ability in any such language classification, the school district shall establish, for each classification, a program in transitional bilingual education for the children therein. A school district may establish a program in transitional bilingual education with respect to any classification with less than 20 children therein, but should a school district decide not to establish such a program, the school district

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shall provide a locally determined transitional program of instruction which, based upon an individual student language assessment, provides content area instruction in a language other than English to the extent necessary to ensure that each student can benefit from educational instruction and achieve an early and effective transition into the regular school curriculum.

Every school-age child of limited English-speaking ability not enrolled in existing private school systems shall be enrolled and participate in the program in transitional bilingual education established for the classification to which he belongs by the school district in which he resides for a period of 3 years or until such time as he achieves a level of English language skills which will enable him to perform successfully in classes in which instruction is given only in English, whichever shall first occur.

A child of limited English-speaking ability enrolled in a program in transitional bilingual education may, in the discretion of the school district and subject to the approval of the child's parent or legal guardian, continue in that program for a period longer than 3 years.

An examination in the oral comprehension, speaking, reading and writing of English, as prescribed by the State Board, shall be administered annually to all children of limited English-speaking ability enrolled and participating in a program in transitional bilingual education. No school district shall transfer a child of limited English-speaking ability out of a program in transitional bilingual education prior to his third year of enrollment therein unless the parents of the child approve the transfer in writing, and unless the child has received a score on said examination which, in the determination of the State Board, reflects a level of English language skills appropriate to his or her grade level.

If later evidence suggests that a child so transferred is still handicapped by an inadequate command of English, he may be re-enrolled in the program for a length of time equal to that which remained at the time he was transferred.

Amended by P.A. 84-126, Art. IV, § 2, eff. Aug. 1, 1985.

14C-4. Notice of enrollment—Content—Rights of parents

§ 14C-4. Notice of enrollment—Content—Rights of parents. No later than 10 days after the enrollment of any child in a program in transitional bilingual education the school district in which the child resides shall notify by mail the parents or legal guardian of the child of the fact that their child has been enrolled in a program in transitional bilingual education. The notice shall contain a simple, nontechnical description of the purposes, method and content of the program in which the child is enrolled and shall inform the parents that they have the right to visit transitional bilingual education classes in which their child is enrolled and to come to the school for a conference to explain the nature of transitional bilingual education. Said notice shall further inform the parents that they have the absolute right, if they so wish, to withdraw their child from a program in transitional bilingual education in the manner as hereinafter provided.

The notice shall be in writing in English and in the language of which the child of the parents so notified possesses a primary speaking ability.

Any parent whose child has been enrolled in a program in transitional bilingual education shall have the absolute right, either at the time of the original notification of enrollment or at the close of any semester thereafter, to withdraw his child from said program by providing written notice of such desire to the school authorities of the school in which his child is enrolled or to the school district in which his child resides; provided that no withdrawal shall be permitted unless such parent is informed in a conference with school district officials of the nature of the program.

Added by P.A. 78-727, § 1, eff. Oct. 1, 1973.

14C-5. Nonresident children—Enrollment and tuition—Joint programs

§ 14C-5. Nonresident children—Enrollment and tuition—Joint programs. A school district may allow a nonresident child of limited English-speaking ability to enroll in or attend its program in transitional bilingual education and the tuition for such a child shall be paid by the district in which he resides.

Any school district may join with any other school district or districts to provide the programs in transitional bilingual education required or permitted by this Article.

Added by P.A. 78-727, § 1, eff. Oct. 1, 1973.

14C-6. Placement of children

§ 14C-6. Placement of children. Children enrolled in a program of transitional bilingual education whenever possible shall be placed in classes with children of approximately the same age and level of educational attainment. If children of different age groups or educational levels are combined, the school district so combining shall ensure that the instruction given each child is appropriate to his or her level of educational attainment and the school districts shall keep adequate records of the educational level and progress of each child enrolled in a program. The maximum student-teacher ratio shall be set by the State Board and shall reflect the special educational needs of children enrolled in programs in transitional bilingual education. Programs in transitional bilingual education shall, whenever feasible, be located in the regular public schools of the district rather than separate facilities.

Amended by P.A. 81-1508, § 13, eff. Sept. 25, 1980.

14C-7. Participation in extracurricular activities of public schools

§ 14C-7. Participation in extracurricular activities of public schools. Instruction in courses of subjects included in a program of transitional bilingual education which are not mandatory may be given in a language other than English. In those courses or subjects in which verbalization is not essential to an understanding of the subject matter, including but not necessarily limited to art, music and physical education, children of limited English-speaking ability shall participate fully with their English-speaking contemporaries in the regular public school classes provided for said subjects. Each school district shall ensure to children enrolled in a program in transitional bilingual education practical and meaningful opportunity to participate fully in the extracurricular activities of the regular public schools in the district.

Added by P.A. 78-727, § 1, eff. Oct. 1, 1973.

14C-8. Teacher certification—Qualification—Issuance of certificates

§ 14C-8. Teacher certification—Qualifications—Issuance of certificates. No person shall be eligible for employment by a school district as a teacher of transitional bilingual education without either (a) holding a valid teaching certificate issued pursuant to Article 21 of this Code [1] and meeting such additional language and course requirements as prescribed by the State Board of Education or (b) meeting the requirements set forth in this Section. School districts shall give preference in employing transitional bilingual education teachers to those individuals who have the relevant foreign cultural background established through residency abroad or by being raised in a non-English speaking environment. The Certification Board shall issue certificates valid for teaching in all grades of the common school in transitional bilingual education programs to any person who presents it with satisfactory evidence that he possesses an adequate speaking and reading ability in a language other than English in which transitional bilingual education is offered and communicative skills in English, and possessed within five years previous to his applying for a certificate under this Section a valid teaching certificate issued by a foreign country, or by a State or possession or territory of the United States, or other evidence of teaching preparation as may be determined to be sufficient by the Certification Board; provided that any person seeking a certificate under this Section must meet the following additional requirements:

(1) Such persons must be in good health;

(2) Such persons must be of sound moral character;

(3) Such persons must be legally present in the United States and possess legal authorization for employment;

(4) Such persons must not be employed to replace any presently employed teacher who otherwise would not be replaced for any reason.

Certificates issuable pursuant to this Section shall be issuable only during the 5 years immediately following the effective date of this Act and thereafter for additional periods of one year only upon a determination by the State Board of Education that a school district lacks the number of teachers necessary to comply with the mandatory requirements of Sections 14C-2.1 and 14C-3 of this Article for the establishment and maintenance of programs of transitional bilingual education and said certificates issued by the Certification Board shall be valid for a period of 6 years following their date of issuance and shall not be renewed, except that one renewal for a period of two years may be granted if necessary to permit the holder of a certificate issued under this Section to acquire a teaching certificate pursuant to Article 21 of this Code. Such certificates and the persons to whom they are issued shall be exempt from the provisions of Article 21 of this Code except that Sections 21-12, 21-13, 21-16, 21-17, 21-19, 21-21, 21-22, 21-23 and 21-24 shall continue to be applicable to all such certificates.

After the effective date of this amendatory Act of 1984, an additional renewal for a period to expire August 31, 1985, may be granted. The State Board of Education shall report to the General Assembly on or before January 31, 1985 its recommendations for the qualification of teachers of bilingual education and for the qualification of teachers of English as a second language. Said qualification program shall take effect no later than August 31, 1985.

Amended by P.A. 83-1270, § 1, eff. Aug. 28, 1984.

[1] Paragraph 21-1 et seq. of this chapter.

14C-9. Tenure—Minimum salaries

§ 14C-9. Tenure; minimum salaries. Any person employed as a teacher of transitional bilingual education whose teaching certificate was issued pursuant to Section 14C-8 of this Article shall have such employment credited to him for the purposes of determining under the provisions of this Code eligibility to enter upon contractual continued service; provided that such employment immediately precedes and is consecutive with the year in which such person becomes certified under Article 21 of this Code.[1]

For the purposes of determining the minimum salaries payable to persons certified under Section 14C-8 of this Article, such persons shall be deemed to have been trained at a recognized institution of higher learning.

Amended by P.A. 82-597, § 1, eff. Sept. 24, 1981.

[1] Paragraph 21-1 et seq. of this chapter.

14C-10. Parent and community participation

§ 14C-10. Parent and community participation. School districts shall provide for the maximum practical involvement of parents of children in transitional bilingual education programs. Each school district shall, accordingly, establish a parent advisory committee which affords parents the opportunity effectively to express their views and which ensures that such programs are planned, operated, and evaluated with the involvement of, and in consultation with, parents of children served by the programs. Such committees shall be composed of parents of children enrolled in transitional bilingual education programs, transitional bilingual education teachers, counselors, and representatives from community groups; provided, however, that a majority of each committee shall be parents of children enrolled in the transitional bilingual education program.

Added by P.A. 78-727, § 1, eff. Oct. 1, 1973.

14C-11. Preschool or summer school programs

§ 14C-11. Preschool or summer school programs. A school district may establish on a full or part-time basis preschool or summer school programs in transitional bilingual education for children of limited English-speaking ability or join with the other school districts in establishing such preschool or summer programs. Preschool or summer programs in transitional bilingual education shall not substitute for programs in transitional bilingual education required to be provided during the regular school year.

Added by P.A. 78-727, § 1, eff. Oct. 1, 1973.

14C-12. Account of expenditures—Cost report—Reimbursement

§ 14C-12. Account of expenditures—Cost report—Reimbursement. Each school district shall keep an accurate, detailed and separate account of all monies paid out by it for the programs in transitional bilingual education required or permitted by this Article including transportation costs, and shall annually report thereon for the school year ending June 30 indicating the average per pupil expenditure. Each school district shall be reimbursed for the amount by which such costs exceed the average per pupil expenditure by such school district for the education of children of comparable age who are not in any special

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education program.

Applications for preapproval for reimbursement for costs of transitional bilingual education programs must be submitted to the State Superintendent's Office at least 60 days before a transitional bilingual education program is started, unless a justifiable exception is granted by the State Superintendent. Applications shall set forth a plan for transitional bilingual education established and maintained in accordance with this Article. Reimbursement claims for transitional bilingual education programs shall be made as follows:

Each school district shall claim reimbursement on a current basis for the first three quarters of the fiscal year and file a final adjusted claim for the school year ended June 30 preceding computed in accordance with rules prescribed by the State Superintendent's Office with the regional superintendent of schools, in triplicate, for approval on forms prescribed by the State Superintendent's Office. Data used as a basis of reimbursement claims shall be for the school year ended on June 30 preceding. School districts shall file estimated claims with the regional superintendent by October 10, January 10 and April 10 respectively, and file final adjusted claims by August 10. Upon receipt of such quarterly claims the regional superintendent shall transmit them to the State Superintendent by October 20, January 20, April 20, and August 20. The State Superintendent's Office before approving any such claims shall determine their accuracy and whether they are based upon services and facilities provided under approved programs. Upon approval he shall transmit by November 15, February 15, May 15 and September 20 the State report of claims to the Comptroller and prepare the vouchers showing the amounts due the respective regions for their school district's reimbursement claims. Upon receipt of the August final adjusted claims the State Superintendent shall make a final determination of the accuracy of such claims. If the money appropriated by the General Assembly for such purpose for any year is insufficient, it shall be apportioned on the basis of the claims approved.

Failure on the part of the school district to prepare and certify the final adjusted claims due under this Section on or before August 10 of any year, and its failure thereafter to prepare and certify such report to the regional superintendent of schools within 10 days after receipt of notice of such delinquency sent to it by the Superintendent's Office by registered mail, shall constitute a forfeiture by the school district of its right to be reimbursed by the State under this Section.

Amended by P.A. 79-1417, § 1, eff. Oct. 1, 1976.

14C-13. Advisory Council

§ 14C-13. Advisory Council. There is created an Advisory Council on Bilingual Education, consisting of 17 members appointed by the State Superintendent of Education and selected, as nearly as possible, on the basis of experience in or knowledge of the various programs of bilingual education. The Council shall advise the State Superintendent on policy and rules pertaining to bilingual education.

Initial appointees shall serve terms determined by lot as follows: 6 for one year, 6 for 2 years and 5 for 3 years. Successors shall serve 3-year terms. Members annually shall select a chairman from among their number. Members shall receive no compensation but may be reimbursed for necessary expenses incurred in the performance of their duties.

Added by P.A. 84-710, § 1, eff. Jan. 1, 1986.

TITLE 23: EDUCATION AND CULTURAL RESOURCES
SUBTITLE A: EDUCATION
CHAPTER I: STATE BOARD OF EDUCATION
SUBCHAPTER f: SPECIAL COURSES OF STUDY

PART 228
TRANSITIONAL BILINGUAL EDUCATION

Section
228.10 Definitions
228.20 Identification and Assessment
228.30 Establishment of Programs
228.40 General Program Requirements
228.50 Program Plan Approval and Reimbursement Procedures
228.60 Enforcement

AUTHORITY: Implementing Article 14C and authorized by Section 2-3.39(1) of The School Code (Ill. Rev. Stat. 1985, ch. 122, par. 14C-1 et seq. and par. 2-3.39(1)).

SOURCE: Adopted May 28, 1976; codified at 8 Ill. Reg. 5176; Part repealed, new Part adopted at 11 Ill. Reg. 5969, effective March 23, 1987.

NOTE: Capitalization indicates statutory language.

Section 228.10 Definitions

"Bilingual Education Teacher" means a teacher who holds a Transitional Bilingual Certificate endorsed for teaching in a language other than English and issued by the State Board of Education in accordance with 23 Ill. Adm. Code 25.90 (Certification); or a teacher who possesses a valid Illinois certificate issued pursuant to the provisions of 23 Ill. Adm. Code 25 (Certification), and a Statement of Approval issued by the State Board of Education in accordance with the provisions of 23 Ill. Adm. Code 1.780 and 1.781 (Public Schools Evaluation, Recognition and Supervision).

"English as a Second Language (ESL)" means specialized instruction designed to assist students whose home language is other than English in attaining English language proficiency. ESL instruction includes skills development in listening, speaking, reading, and writing. (ESL is not to be confused with English language arts as taught to students whose home language is English.)

"Home Language" means that language normally used in the home by the student and/or by the student's parents or legal guardians.

"Individual Student Language Assessment" means a procedure which determines a student's listening, speaking, reading (including comprehension), and writing skills in English.

"Standard School Program" means the educational program offered by the local school district to the majority of its students.

"Students Of Limited English Proficiency" means students of non-English background whose aural comprehension, speaking, reading, or writing proficiency in English is below the average English proficiency level of students of the same age and/or grade whose first or home language is English.

"Students Of Non-English Background" means students whose native language is other than English or students who come from homes where a language other than English is spoken in daily interaction, either by the students themselves or by their parents or legal guardians.

"Teacher of English as a Second Language" means a teacher who meets the requirements set forth in 23 Ill. Adm. Code 1.782 (Public Schools Evaluation, Recognition and Supervision); a teacher who possesses a Standard Special certificate endorsed for teaching ESL, issued by the State Board of Education in accordance with 23 Ill. Adm. Code 25 (Certification); or a teacher who possesses a valid Illinois certificate and a Statement of Approval for teachers of

ESL, issued by the State Board of Education pursuant to 23 Ill. Adm. Code 1.780, 1.781, and 1.782 (Public Schools Evaluation, Recognition and Supervision).

"Transitional Bilingual Education Program" means a program which must be provided by a school district when there are within an attendance center 20 or more students of the same non-English language background identified as below average in English proficiency. A student's program can be either full-time or part-time, depending on the level of the student's proficiency in English. The school district's program must meet the standards set forth in Section 228.30(a) of this Part.

"Transitional Program of Instruction" means a program designed by a school district when there are within an attendance center 19 or fewer students of the same non-English language background identified as below average in English proficiency. The school district's program must meet the standards set forth in Section 228.30(b) of this Part.

Section 228.20 Identification and Assessment

All school districts (hereinafter called district(s)) shall develop a procedure for the identification and assessment of limited English proficiency students for the purposes of completing the Public School Bilingual Census and determining the students' needs for program placement.

a) Public School Bilingual Census

1) Standards - The district's identification and assessment procedure shall meet the following standards:

A) it shall specify the criteria to be used to identify students of non-English background within the district's population, and to identify those students whose language proficiency will be assessed;

B) it shall establish and apply specific cutoff points when standardized or norm-referenced tests are used for identification or assessment; and

C) the criteria for identification and assessment shall be applied uniformly to every non-English background student in the district's population.

2) Initial Identification and Assessment - The district shall first identify students of non-English background by completing a home language survey of all students to ascertain the language spoken by the student and the language spoken in the home. The district shall then conduct an individual student language assessment (as defined in Section 228.10 of this Part) of those students who are of non-English background. The results of this assessment shall be used to identify the students of limited English proficiency by comparing their individual achievement in English to the average achievement in English of native English speakers of the same age or grade level in the district's population. A student's performance (i.e., above, at, or below average) in relation to the appropriate average shall constitute each district's minimum criteria for program exit or entry, respectively.

3) Reporting - NO LATER THAN THE FIRST DAY OF MARCH OF EACH YEAR, EVERY SCHOOL DISTRICT SHALL submit a Census Report for that school year to the State Board of Education. A district may use the number of students who have been identified in its report as having limited English proficiency as a preliminary count for the purposes of submitting a program application

pursuant to Section 228.50 of this Part. The report shall be submitted on forms provided by the State Board of Education and shall include:

A) the number of students of non-English background in each attendance center;

B) the number of those students who have been identified as having limited English proficiency; and

C) for students of limited English proficiency, their home language, grade level, age or achievement level.

4) Program Options

A) WHEN AN ATTENDANCE CENTER HAS AN ENROLLMENT OF 20 OR MORE LIMITED ENGLISH PROFICIENT STUDENTS OF THE SAME LANGUAGE BACKGROUND, THE SCHOOL DISTRICT MUST ESTABLISH A TRANSITIONAL BILINGUAL PROGRAM for each language classification represented by such students. A further assessment of those students to determine their needs for bilingual instruction and for placement in either a full-time or part-time program shall be conducted.

B) WHEN AN ATTENDANCE CENTER HAS AN ENROLLMENT OF 19 OR FEWER STUDENTS OF LIMITED ENGLISH PROFICIENCY and from any non-English language, the school district shall conduct an individual student assessment to determine each student's need for native language instruction and may provide a transitional bilingual program in the non-English language(s) common to such students or shall provide a locally determined transitional program of instruction for those students.

b) Placement in Transitional Bilingual Education Programs and Transitional Programs of Instruction

1) Transitional Bilingual Education Programs

Districts shall consider the following when determining an individual student's full-time or part-time educational program needs: language assessment in English and, if feasible, in the student's home language; academic history, age, cultural background, handicapping conditions, if any, and any other factors that would assist the district in designing an instructional program appropriate to the student's needs.

2) Transitional Programs of Instruction

Districts shall consider the following when determining an individual student's full-time or part-time educational program needs: language assessment in English and, if feasible, in the student's home language; academic history, age, cultural background, handicapping conditions, if any, and any other factors that would assist the district in designing an instructional program appropriate to the student's needs.

c) The parents or legal guardians of any child resident in a school district who shall not have been counted for the purposes of the census may request the district to determine whether such child should be considered for placement in a transitional bilingual education program or a transitional program of instruction, and the school district shall make such determination upon parental request. District determinations which are contested by the parents or legal guardians of such child can be appealed to the Superintendent of the Educational Service Region, pursuant to the provisions of Article 3-10, chapter 122, of The School Code (Ill. Rev. Stat. 1985, ch. 122, par. 3-10).

d) It shall be the duty of each school district conducting a census to use its best efforts in seeking out unenrolled children believed to be of limited English proficiency who are resident within such district but are not enrolled in a private school within the district.

e) ANNUAL EXAMINATION

1) SCHOOL DISTRICTS MUST ASSESS THE ENGLISH LANGUAGE PROFICIENCY, INCLUDING AURAL COMPREHENSION, SPEAKING, READING, AND WRITING SKILLS, OF ALL STUDENTS ENROLLED IN PROGRAMS ON AN ANNUAL BASIS.

2) Annual testing procedures and instruments shall be described in the district's program application, shall include specific program entry and exit criteria, and shall be subject to the approval of the State Board of Education. The State Board shall approve testing procedures and instruments that comply with the criteria set forth in subsections (a)(1) and (a)(2) of this Section. School districts shall maintain records of individual test scores in accordance with the provisions of 23 Ill. Adm. Code 375 (Student Records).

Section 228.30 Establishment of Programs

a) Transitional Bilingual Education Programs

1) PROGRAM COMPONENTS OF A FULL-TIME PROGRAM - A FULL-TIME TRANSITIONAL BILINGUAL EDUCATION PROGRAM SHALL INCLUDE THE FOLLOWING COMPONENTS:

A) INSTRUCTION IN SUBJECTS WHICH ARE EITHER REQUIRED BY LAW (see 23 Ill. Adm. Code 1) OR BY THE STUDENT'S SCHOOL DISTRICT, TO BE GIVEN IN THE STUDENT'S HOME LANGUAGE AND IN ENGLISH; CORE SUBJECTS SUCH AS MATH, SCIENCE AND SOCIAL STUDIES MUST BE OFFERED IN THE STUDENT'S HOME LANGUAGE;

B) INSTRUCTION IN THE LANGUAGE ARTS IN THE STUDENT'S HOME LANGUAGE AND IN ENGLISH AS A SECOND LANGUAGE; AND

C) INSTRUCTION IN THE HISTORY AND CULTURE OF THE COUNTRY, TERRITORY, OR GEOGRAPHIC AREA WHICH IS THE NATIVE LAND OF THE STUDENTS OR OF THEIR PARENTS AND IN THE HISTORY AND CULTURE OF THE UNITED STATES.

2) Program Structure for Part-Time Programs - Students are eligible for placement in a part-time program pursuant to the provisions of Section 228.20(b)(1) of this Part, or students previously placed in a full-time program may be placed in a part-time program under the following conditions:

A) an assessment of the student's English language skills has been performed in accordance with the provisions of Section 228.20(e) of this Part;

B) the student's prior performance, if any, in coursework taught exclusively in English has been evaluated; and

C) a review of these areas shows a performance that is less than one academic year behind the average of students of the same grade level in the district, in all but one or two subject areas, in which instruction in ESL and subject area instruction in the home language may still be necessary.

3) Program Components of a Part-Time Program - A part-time program will consist of those instructional programs and materials, supportive services (e.g., counseling, special instructional resources, or tutorial assistance), learning settings, and other educational services which modify, supplement, and support the standard educational program of

the public school and which, based upon an assessment of the student's educational needs in accordance with the standards set forth in subsection (a)(2) of this Section, will provide daily instruction in the home language and in English.

4) DURATION OF PROGRAM PARTICIPATION

A) A student of limited English proficiency shall remain in the program for a period of three years or until said student achieves a score on the annual examination that meets the exit criteria established by the district and approved by the State Board of Education as provided in Section 228.20 of this Part, whichever shall first occur.

B) HOWEVER, A STUDENT MAY REMAIN IN THE TRANSITIONAL BILINGUAL EDUCATION PROGRAM LONGER THAN THREE YEARS AT THE DISCRETION OF THE SCHOOL DISTRICT AND SUBJECT TO THE APPROVAL OF THE STUDENT'S PARENTS.

C) NO SCHOOL DISTRICT SHALL WITHDRAW A STUDENT PRIOR TO THE COMPLETION OF THREE YEARS OF PROGRAM ENROLLMENT WITHOUT WRITTEN APPROVAL FROM THE STUDENT'S PARENTS OR LEGAL GUARDIANS, AND UNLESS THE STUDENT HAS RECEIVED A SCORE ON THE ANNUAL EXAMINATION WHICH meets or exceeds the program exit criteria established by the district.

D) IF A STUDENT, HAVING BEEN TRANSFERRED FROM A PROGRAM PRIOR TO THREE YEARS, DEMONSTRATES, IN THE JUDGEMENT OF THE SCHOOL DISTRICT, AN INADEQUATE COMMAND OF ENGLISH, SAID STUDENT MAY BE RE-ENROLLED IN THE PROGRAM FOR THE BALANCE OF THE THREE YEARS.

5) Inclusion of Students Whose First or Home Language is English - Students whose first or home language is English may be included in a program of transitional bilingual education provided that all students of limited English proficiency are served. No reimbursement of costs shall be allowed for educating students whose first or home language is English.

6) Language Grouping - School districts may place in the same class in any program of transitional bilingual education students of limited English proficiency of different home languages, provided that, in classes other than ESL:

A) instructional personnel or assistants representing each of the languages in the class are used; and

B) the instructional materials are appropriate (e.g., grade level and subject matter) for the languages of instruction.

7) Personnel

A) Any person designated to administer the program by the district superintendent must hold a registered supervisory or administrative certificate or endorsement issued by the State Board of Education in accordance with applicable provisions of 23 Ill. Adm. Code 25 (Certification) and 23 Ill. Adm. Code 1 (Public Schools Evaluation, Recognition and Supervision).

B) Standards for Teachers in Bilingual Education Programs Bilingual teachers and teachers of English as a Second Language who provide instruction in transitional bilingual education programs shall meet applicable requirements of 23 Ill. Adm. Code 1.780 through 1.782 (Public Schools Evaluation, Recognition and Supervision).

C) Noncertificated Personnel - School Districts may employ noncertificated personnel to assist certified personnel teaching in transitional bilingual education programs approved pursuant to this Part. Noncertificated personnel may include instructional aides, who must possess a Statement of Approval issued by the State Board of Education pursuant to 23 Ill. Adm. Code 1.630 (Public Schools Evaluation, Recognition and Supervision).

D) All noncertificated personnel must possess proficiency in at least one of the home language(s) of the students being served and in English, as evidenced by compliance with the requirements of 23 Ill. Adm. Code 25.90' (Certification), or by passing an examination administered by the school district that meets the language proficiency standards set forth in 23 Ill. Adm. Code 25.90.

E) Other Professional Staff - Districts providing programs may employ other professional staff to provide services to limited English proficient students. These professionals must hold certificates appropriate to their roles.

8) PARENT AND COMMUNITY PARTICIPATION - EACH DISTRICT OR COOPERATIVE SHALL ESTABLISH A PARENT ADVISORY COMMITTEE CONSISTING OF PARENTS, LEGAL GUARDIANS, TRANSITIONAL BILINGUAL EDUCATION TEACHERS, COUNSELORS, AND COMMUNITY LEADERS. THIS COMMITTEE SHALL PARTICIPATE IN THE PLANNING, OPERATION, AND

EVALUATION OF PROGRAMS. THE MAJORITY OF COMMITTEE MEMBERS SHALL BE PARENTS OR LEGAL GUARDIANS OF STUDENTS ENROLLED IN THESE PROGRAMS. MEMBERSHIP ON THIS COMMITTEE SHALL BE REPRESENTATIVE OF THE LANGUAGES SERVED IN PROGRAMS TO THE EXTENT POSSIBLE. The committee shall:

A) meet at least two times per year;

B) maintain on file with the school district minutes of these meetings; and

C) review the district's annual program application to the State Board of Education.

b) Transitional Program of Instruction

1) Program Structure - The level of a student's proficiency in English, as determined by an individual student language assessment, will determine the structure of the student's instructional program.

2) Program Components - A transitional program of instruction must include instruction or other assistance in the student's home language to the extent necessary, as determined by the district on the basis of the student assessment required in Section 228.20(b)(2) of this Part, to enable the student to keep pace with his/her age or grade peers. A transitional program of instruction may include, but is not limited to, the following components: instruction in ESL, language arts in the students' home language, and instruction in the history and culture of the country, territory, or geographic area which is the native land of the students or of their parents and in the history and culture of the United States.

3) Duration of Student Program Participation - A student of limited English proficiency shall remain in the program until an individual student language assessment determines that the student has achieved a level of English proficiency which meets or exceeds the district's exit criteria as provided in Section 228.20(e)(2) of this Part.

4) Personnel

A) Any person designated by the district superintendent to administer the program must hold a registered supervisory or administrative certificate or endorsement issued by the State Board of Education pursuant to 23 Ill. Adm. Code 25 (Certification) and 23 Ill. Adm. Code 1 (Public Schools Evaluation, Recognition and Supervision).

B) Standards for Teachers in Transitional Programs of Instruction - Bilingual teachers and teachers of English as a Second Language who provide instruction in transitional programs of instruction shall meet applicable requirements of 23 Ill. Adm. Code 1.780 through 1.782 (Public Schools Evaluation, Recognition and Supervision).

C) Noncertificated and Other Personnel - School districts may employ noncertificated personnel to assist certified personnel teaching in a transitional program of instruction. Such personnel may include instructional aides who possess a Statement of Approval issued by the State Board of Education pursuant to 23 Ill. Adm. Code 1.630. Other personnel who may be employed include translators, tutors, interpreters and such additional personnel as are determined to be needed by the school district to assist a student's early and effective transition to the regular school program.

D) Other Professional Personnel - Districts providing a program may employ other professional staff to provide services to limited English proficient students. These professionals must hold certificates appropriate to their roles pursuant to 23 Ill. Adm. Code 25 (Certification).

Section 228.40 General Program Requirements

a) Notice of Enrollment and Withdrawal

1) NOTICE OF ENROLLMENT - NO LATER THAN 10 DAYS AFTER THE ENROLLMENT OF ANY STUDENT IN A PROGRAM, THE SCHOOL DISTRICT SHALL NOTIFY BY MAIL THE PARENTS OR LEGAL GUARDIANS OF THE STUDENT THAT THEIR CHILD HAS BEEN ENROLLED IN A TRANSITIONAL BILINGUAL EDUCATION PROGRAM OR A TRANSITIONAL PROGRAM OF INSTRUCTION. THE NOTICE SHALL BE IN ENGLISH AND IN THE HOME LANGUAGE OF THE STUDENT. IT SHALL:

A) CONTAIN A SIMPLE, NONTECHNICAL DESCRIPTION OF THE PURPOSE, INSTRUCTIONAL METHOD, AND CONTENT OF THE PROGRAM;

B) INFORM THE PARENTS OR LEGAL GUARDIANS OF THEIR RIGHT TO VISIT THE CLASSES IN WHICH THEIR CHILD IS ENROLLED;

C) INFORM THE PARENTS OR LEGAL GUARDIANS OF THEIR RIGHT TO ARRANGE FOR A CONFERENCE TO RECEIVE AN EXPLANATION OF THE NATURE OF THE PROGRAM IN WHICH THEIR CHILD IS ENROLLED; AND

D) FURTHER INFORM THE PARENTS OR LEGAL GUARDIANS OF THEIR RIGHT TO WITHDRAW THEIR CHILD FROM THE PROGRAM AS DESCRIBED IN subsection (a)(2) of this Section.

2) WITHDRAWAL BY PARENTS - ANY PARENT OR LEGAL GUARDIAN WHOSE CHILD HAS BEEN ENROLLED IN A PROGRAM SHALL HAVE THE RIGHT TO WITHDRAW HIM/HER FROM THE PROGRAM. A PARENT OR LEGAL GUARDIAN CAN WITHDRAW HIS/HER CHILD FROM THE PROGRAM WITHIN 30 DAYS OF RECEIPT OF A NOTICE OF ENROLLMENT OR AT THE CLOSE OF ANY SEMESTER BY SUBMITTING A WRITTEN REQUEST FOR WITHDRAWAL TO SCHOOL DISTRICT AUTHORITIES. WITHDRAWAL SHALL NOT BE PERMITTED UNLESS THE PARENT OR LEGAL GUARDIAN HAS BEEN INFORMED OF THE NATURE OF THE PROGRAM IN A CONFERENCE WITH SCHOOL OFFICIALS. SUCH A CONFERENCE SHALL BE CONDUCTED IN A LANGUAGE WHICH THE PARENT OR LEGAL GUARDIAN UNDERSTANDS.

b) Program Standards

1) Course Credit - Students enrolled in approved programs shall receive full credit for courses taken in such programs, which shall count toward promotion and fulfillment of district graduation requirements. Courses in ESL shall count toward English requirements for graduation. Students who change attendance centers or school districts shall do so without loss of credit for time spent in the program.

2) EXTRACURRICULAR ACTIVITIES - EACH DISTRICT SHALL ENSURE THAT STUDENTS ENROLLED IN PROGRAMS SHALL HAVE THE OPPORTUNITY TO PARTICIPATE FULLY IN THE EXTRACURRICULAR ACTIVITIES OF THE PUBLIC SCHOOLS IN THE DISTRICT.

3) PROGRAM INTEGRATION - IN COURSES OR SUBJECTS IN WHICH LANGUAGE IS NOT ESSENTIAL TO AN UNDERSTANDING OF THE SUBJECT MATTER, INCLUDING, BUT NOT NECESSARILY LIMITED TO, ART, MUSIC, AND PHYSICAL EDUCATION, STUDENTS OF LIMITED ENGLISH PROFICIENCY SHALL PARTICIPATE FULLY WITH THEIR ENGLISH-SPEAKING CLASSMATES.

4) Student-Teacher Ratio - The student-teacher ratio in the ESL and native language components of programs shall not exceed 90% of the average student-teacher ratio in regular classes in that attendance center.

5) GROUPING OF AGE-GRADE LEVELS - STUDENTS ENROLLED IN A PROGRAM OF TRANSITIONAL BILINGUAL EDUCATION SHALL BE PLACED IN CLASSES WITH STUDENTS OF APPROXIMATELY THE SAME AGE OR GRADE LEVEL, except as provided in subsection (b)(6) of this Section.

6) IF STUDENTS OF DIFFERENT AGE GROUPS OR EDUCATIONAL LEVELS ARE COMBINED IN THE SAME CLASS, THE SCHOOL DISTRICT SHALL ENSURE THAT THE INSTRUCTION GIVEN EACH STUDENT IS APPROPRIATE TO HIS/HER AGE OR GRADE LEVEL. Evidence of compliance with this requirement shall be:

A) individualized instructional programs; or

B) class grouping and instruction by ability level.

7) PROGRAM FACILITIES - PROGRAMS SHALL BE LOCATED IN REGULAR PUBLIC SCHOOL FACILITIES RATHER THAN IN SEPARATE FACILITIES. IF SUCH A LOCATION IS NOT FEASIBLE, THE SUBSTITUTE LOCATION shall be comparable to those made available to a majority of the district's students with respect to space and equipment. If housed in a facility other than a public school, the school district shall provide a written explanation in its annual application to the State Board of Education as to why the use of a public school building is not feasible.

c) STAFF INSERVICE

1) Each school district having a program shall annually plan inservice training activities for the certificated and noncertificated personnel involved in the education of students of limited English proficiency. This plan shall be

included in the district's annual application and shall be approved by the State Board of Education if it meets the standards set forth in subsections (c)(2) and (c)(3) of this Section.

2) Program staff beginning their initial year of service shall be involved in training activities that will develop their knowledge of basic bilingual program requirements and which shall include, but need not be limited to, the following: minimum program standards, district identification and assessment procedure, program design, and basic instructional techniques for teachers of limited English proficient students.

3) Ongoing training activities for all bilingual program staff shall take place at least twice yearly. The areas to be addressed shall include but need not be limited to one or more of the following:

A) current research in the teaching of bilingual education;

B) methods and techniques for teaching content areas, language arts of the students' home languages, and ESL in a bilingual classroom;

C) language assessment;

D) issues related to the culture and history of the United States and of the country, territory or geographic area that is the native land of the students or of their parents; and

E) issues related to handicapped limited English proficient students.

d) Joint Programs - A school district may join with one or more school district(s) to provide joint programs or services in accordance with the provisions of Article 10-22.31a of The School Code. The designated administrative agent shall adhere to the procedures contained in 23 Ill. Adm. Code 110 (Program Accounting Manual) as they pertain to cooperative agreements.

e) PRESCHOOL AND SUMMER SCHOOL PROGRAMS - A SCHOOL DISTRICT MAY ESTABLISH PRESCHOOL AND SUMMER SCHOOL PROGRAMS FOR STUDENTS OF LIMITED ENGLISH PROFICIENCY, OR JOIN WITH OTHER SCHOOL DISTRICTS IN ESTABLISHING SUCH PROGRAMS. SUMMER SCHOOL PROGRAMS SHALL NOT REPLACE PROGRAMS REQUIRED DURING THE REGULAR SCHOOL YEAR.

f) Maintenance of Records and Reporting Procedures

1) Report Cards - The school shall send progress reports to parents or legal guardians of students enrolled in programs in at least the same manner and with the same frequency as progress reports are sent to parents or legal guardians of other students enrolled in the school district. Such reports shall indicate the student's progress in the program and in the general program of instruction, and shall indicate when the student has successfully completed requirements for transition from the program into the general program of instruction. Progress reports for all students enrolled in a program under this Part shall be written in English and in the student's home language unless a student's parents or legal guardian agree in writing to waive this requirement. Such waiver shall be kept on file in accordance with subsection (f)(3) of this Section.

2) Annual Student Report - Each district must complete the Transitional Bilingual Education Annual Student Report provided by the State Board of Education, in which information on each student participating in the program is compiled.

3) Records - School districts shall maintain records of each student enrolled in programs in the manner prescribed in 23 Ill. Adm. Code 375 (Student Records). These records shall include program entry/exit information, annual English proficiency test scores and other student assessment information (e.g., language, program entry and exit dates, grade level, and attendance), and documentation of conferences and written communication with parents or legal guardians. Parents and legal guardians of students enrolled in programs shall have access to such records, as specified in 23 Ill. Adm. Code 375 (Student Records).

Section 228.50 Program Plan Approval and Reimbursement Procedures

a) Reimbursement for programs provided by school districts pursuant to the provisions of Article 14C of The School Code and this Part is contingent upon the submission and approval of a program plan and request for reimbursement in accordance with the requirements of Section 14C-12 of The School Code and this Section.

b) Program Plan Submission and Approval

1) Applications for program approval shall be submitted, on forms provided by the State Board of Education, at least sixty (60) calendar days prior to the start of the proposed initial or continuing program.

2) The State Superintendent of Education will waive the requirement in subsection (b)(1) of this Section only when an application is accompanied by a statement of facts showing that the waiver will enable the district to begin serving a student or students sooner than would otherwise be the case.

3) School districts shall be granted at least sixty (60) calendar days to complete and submit applications to the State Board of Education. A district's failure to submit a completed application by the date specified on the form will delay its receipt of reimbursement pursuant to subsection (c) of this Section.

4) Applications for a Transitional Bilingual Education Program and/or a Transitional Program of Instruction must contain at least the following information:

A) The number of students to be served by grade or grade equivalent and language group in a full-time or part-time program.

B) A summary description of the number and types of personnel who will provide services in the program.

C) A description of the full-time and/or part-time program to be provided to the students identified pursuant to subsection (b)(4)(A) of this Section in relation to the applicable program standards set forth in Section 228.30 of this Part.

D) A copy of the district's procedures for identifying students of limited English proficiency, which must be in compliance with the standards set forth in Section 228.20 of this Part.

E) A budget summary containing a projection of the program expenditures (e.g., instruction, support services, administration and transportation) and offsetting revenues for the upcoming fiscal year, and a detailed budget breakdown including allowable program expenditures for which reimbursement is sought, other program expenditures, and total program costs.

F) The signature of the president of the district's Bilingual Parent Advisory Committee established pursuant to Section 14C-10 of The School Code and Section 228.30(a)(8) of this Part, which shall be evidence that said Committee has had an opportunity to review the application.

5) Applications which, upon review by the State Board of Education staff, are found to contain the information required pursuant to this Section shall be recommended for approval by the State Superintendent of Education. If the application is found to be incomplete, State Board staff will send a written notice to applicants requesting that they supply the needed information. Such applicants must supply the requested information within fifteen (15) calendar days of their receipt of said notice.

6) The State Superintendent of Education will approve applications that demonstrate compliance with Article 14C of The School Code and this Part, except that the State Superintendent shall invoke subsection (b)(5) of this Section with respect to any requested information that is missing from any application submitted for approval.

c) Account of Expenditures and Reimbursement Procedures

1) An account of each district's expenditures pursuant to Article 14C of The School Code and this Part shall be maintained as required in Section 14C-12 of The School Code. Accounting procedures shall be in accordance with applicable requirements of 23 Ill. Adm. Code 110 (Program Accounting Manual).

2) The final annual report of district expenditures, which shall include the information specified in Section 14C-12 of The School Code, shall be submitted on forms provided by the State Board of Education no later than August 10 of each year.

3) School districts shall submit claims for reimbursement of programs approved in accordance with this Part on forms provided by the State Board of Education and in accordance with the timelines and procedures specified in Section 14C-12 of The School Code.

4) In the event that funds appropriated by the General Assembly are insufficient to cover the districts' excess costs, the funds will be distributed on a pro rata basis and in accordance with the timelines specified in Section 14C-12 of The School Code.

5) A request to amend a district's approved budget shall be submitted on forms provided by the State Board of Education whenever a district determines that there is a need to change an approved line item expenditure by more than $500 or 10%, whichever is smaller.

6) Budget amendment requests will be approved if the rationale required to be provided for each amendment includes facts demonstrating that:

   A) there is a need (e.g., a change in the number of students served or personnel needed); and

   B) the altered expenditures and their related program services will be in compliance with the requirements of Article 14C of The School Code and this Part.

Section 228.60 Enforcement

a) Each school district's compliance with the requirements of Article 14C of The School Code and this Part shall be evaluated at least every three years by State Board of Education staff, who shall use the criteria set forth in Article 14C of The School Code and this Part to determine compliance.

b) The recognition status of districts found to be in noncompliance with the requirements of Article 14C of The School Code and this Part will be evaluated in accordance with the provisions of Subpart A of 23 Ill. Adm. Code 1 (Public Schools Evaluation, Recognition and Supervision).

PROCEDURES FOR PROGRAM IMPLEMENTATION

The following chart outlines the steps involved in implementing bilingual education programs for limited-English-proficient students in accordance with Article 14C of The School Code of Illinois.

Local School Task	Resources to Local School
1. Complete Home Language Survey (HLS); identify students from a non-English language background; administer the English language assessment; identify limited-English-proficient students; enter data on-line; place students in a bilingual program.	Department of Research and Evaluation - Bureau of Bilingual Evaluation Department of Multilingual Education District Bilingual Coordinator
2. Select the appropriate instructional design and organizational model; identify staff and facilities.	Department of Multilingual Education Department of Personnel District Bilingual Coordinator
3. Identify appropriate curriculum, purchase materials, and initiate program.	Department of Curriculum Department of Multilingual Education - Bureau of MERIC District Bilingual Coordinator
4. Provide staff orientation and/or inservice training.	Department of Training and Development Department of Multilingual Education - Bureau of MERIC District Office District Bilingual Coordinator
5. Form a bilingual parent committee.	Department of Multilingual Education District Bilingual Coordinator
6. Evaluate student progress and achievement.	Department of Research and Evaluation - Bureau of Bilingual Evaluation District Bilingual Coordinator
7. Update student's instructional category at the end of the school year and enter data on-line.	Department of Research and Evaluation - Bureau of Bilingual Evaluation Department of Multilingual Education District Bilingual Coordinator